

ABBHEY HILL PARISH COUNCIL

STANDING ORDERS

NOTE

This document should not be amended further without reference to Model Standing orders Part 2 - REVISED 2011[1] which identifies those clauses required by legislation

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Signed

Date

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1 Meetings

- a Meetings shall not take place in premises, which at the time of the meeting, are used for the supply of alcohol unless no other premises are available free of charge or at a reasonable cost.
- b When calculating the 3 clear days for notice of a meeting to councillors and the public, the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning shall not count.
- c Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.
- d Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's prior consent.
- e In accordance with standing order 1(c) above, the press shall be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.
- f Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman may in his absence be done by, to or before the Vice-Chairman.
- g The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.
- h Subject to model standing order 1 (j) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.
- i The Chairman may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote.

- j Unless standing orders provide otherwise, voting on any question shall be by a show of hands. At the request of a Councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.
- k The minutes of a meeting shall record the names of councillors present and absent.
- l No business may be transacted at a meeting unless at least one third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than 3.
- m If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be adjourned. Any outstanding business of a meeting so adjourned shall be transacted at a following meeting.

2 Ordinary Council meetings

- a Meetings of the Council shall normally be held at 7.30pm on the Third Thursday of each month at Two Mile Ash School, although if adequate notice is given meetings may be held on such dates and times and at such place as the Council may direct.
- b In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the new councillors elected take office.
- c In a year which is not an election year, the annual meeting of a Council shall be held on such day in May as the Council may direct.
- d If no other time is fixed, the annual meeting of the Council shall take place at 7.30pm.
- e In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council directs.
- f The election of the Chairman and Vice-Chairman of the Council shall be the first business completed at the annual meeting of the Council.
- g The Chairman of the Council, unless he has resigned or becomes disqualified, shall

continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.

- h The Vice-Chairman of the Council unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.
- i In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he shall preside at the meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but must give a casting vote in the case of an equality of votes.
- j In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he shall preside at the meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and must give a casting vote in the case of an equality of votes.
- k Following the election of the Chairman of the Council and Vice-Chairman of the Council at the annual meeting of the Council, the order of business shall be as follows:
 - k.i. In an election year, delivery by councillors of their declarations of acceptance of office.
 - k.ii. Confirmation of the accuracy of the minutes of the last meeting of the Council.
Review of inventory of land and assets including buildings and office equipment.
 - k.iii. Review and confirmation of arrangements for insurance cover in respect of all insured risks.
 - k.iv. Review of the Council's memberships of other bodies.
 - k.v. Setting the dates, times and place of ordinary meetings of the Council for the year ahead.

3 Proper Officer

- a The Council's Proper Officer shall be either (i) the clerk or such other employee as may be nominated by the Council from time to time or (ii) such other employee appointed by

the Council to undertake the role of the Proper Officer during the Proper Officer's absence. The Proper Officer and the employee appointed to act as such during the Proper Officer's absence shall fulfil the duties assigned to the Proper Officer in standing orders.

- b The Council's Proper Officer shall do the following:
- i. Sign and serve on councillors by delivery or post at their residences a summons confirming the time, date, venue and the agenda of a meeting of the Council at least 3 clear days before the meeting.
OR
electronically serve on councillors a summons confirming the time, date, venue and the agenda of a meeting of the Council at least 3 clear days before the meeting.
 - ii. Give public notice of the time, date, venue and agenda at least 3 clear days before a meeting of the Council. (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).
 - iii. Convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office, in accordance with standing order [3(b)i] OR [3(b)ii] above.
 - iv. Make available for inspection the minutes of meetings.

4 Motions requiring notice

- a In accordance with standing order 3(b)(iii) above, no motion may be moved at a meeting unless it is included in the agenda.
- b Having consulted the Chairman or councillors pursuant to standing order above, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.

5 Motions not requiring written notice

Motions in respect of the following matters may be moved without written notice.

- a To appoint a person to preside at a meeting.
- b To approve the absences of councillors.
- c To approve the accuracy of the minutes of the previous meeting.
- d To correct an inaccuracy in the minutes of the previous meeting.
- e To dispose of business, if any, remaining from the last meeting.
- f To alter the order of business on the agenda for reasons of urgency or expedience.
- g To proceed to the next business on the agenda.
- h To close or adjourn debate.
- i To refer by formal delegation a matter to a committee or to a sub-committee or an employee.
- j To appoint a committee or sub-committee or any councillors (including substitutes) thereto.
- k To receive nominations to a committee or sub-committee.
- l To dissolve a committee or sub-committee.
- m To note the minutes of a meeting of a committee or sub-committee.
- n To consider a report and/or recommendations made by a committee or a sub-committee or an employee.
- o To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
- p To authorise legal deeds [to be sealed by the Council's common seal] OR [signed by two councillors] and witnessed. (*See standing orders 14(a) and (b) below.*)
- q To authorise the payment of monies up to £500.00
- r To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
- s To extend the time limit for speeches.
- t To exclude the press and public for all or part of a meeting.
- u To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
- v To give the consent of the Council if such consent is required by standing orders.
- w **To suspend any standing order except those which are mandatory by law.**
- x To adjourn the meeting.
- y To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
- z To answer questions from councillors.

a If a motion falls within the terms of reference of a committee or sub-committee or within the delegated powers conferred on an employee, a referral of the same may be made to such committee or sub-committee or employee provided that the Chairman may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

6 Rules of debate

- a Motions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Chairman's direction for reasons of expedience.
- b Subject to standing orders 4(a+b) above, a motion shall not be considered unless it has been proposed and seconded.

7 Code of conduct

- a All councillors shall observe the code of conduct adopted by the Council.
- b Councillors with a prejudicial interest in relation to any item of business being transacted at a meeting may (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted but must, thereafter, leave the room or chamber.

8 Questions

- a A councillor may seek an answer to a question concerning any business of the Council.
- b Questions not related to items of business on the agenda for a meeting shall only be asked during the part of the meeting set aside for such questions.

9 Minutes

- a If a copy of the draft minutes of a preceding meeting has been circulated to councillors no later than the day of service of the summons to attend the scheduled meeting they shall be taken as read.

- b No discussion of the draft minutes of a preceding meeting shall take place except in relation to their accuracy.
- c Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the Chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d If the Chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:

“The Chairman of this meeting does not believe that the minutes of the meeting of the () held on [date] in respect of () were a correct record but his view was not upheld by the majority of the () and the minutes are confirmed as an accurate record of the proceedings.”
- e Upon a resolution which confirms the accuracy of the minutes of a meeting, any previous draft minutes or recordings of the meeting shall be destroyed.

10 Disorderly conduct

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly.
- b If, in the opinion of the Chairman, there has been a breach of standing order 10(a) above, the Chairman shall express that opinion and thereafter any councillor (including the Chairman) may move that the person be silenced or excluded from the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
- c If a resolution made in accordance with standing order 10(b) above, is disobeyed, the Chairman may take such further steps as may reasonably be necessary to enforce it and/or he may adjourn the meeting.

11 Voting on appointments

- a Where more than 2 persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. Any tie may be settled by the Chairman's casting vote.

12 Expenditure

- a Any expenditure incurred by the Council shall be in accordance with the Council's financial regulations.
- b The Council's financial regulations shall be reviewed once a year.
- c The Council's financial regulations may make provision for the authorisation of the payment of money in exercise of any of the Council's functions to be delegated to a committee, sub-committee or to an employee.

13 Execution and sealing of legal deeds

- a A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.
- b In accordance with a resolution made under standing order 13(a) above, any two members of the Council, may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.

14 Extraordinary meetings

See also standing order 1 above

- a The Chairman of the Council may convene an extraordinary meeting of the Council at

any time.

- b If the Chairman of the Council does not or refuses to call an extraordinary meeting of the Council within 7 days of having been requested to do so by two councillors, those two councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two councillors.

15 Accounts and Financial Statement

- a All payments by the Council shall be authorised, approved and paid in accordance with the Council's financial regulations, which shall be reviewed at least annually.
- b The Responsible Financial Officer (the Clerk) shall supply to each councillor as soon as practicable after 31 March, 30 June, 30 September and 31 December in each year a statement summarising the Council's receipts and payments for the each quarter and the balances held at the end of a quarter. This statement should include a comparison with the budget for the financial year. A Financial Statement prepared on the appropriate accounting basis (receipts and payments, or income and expenditure) for a year to 31 March shall be presented to each councillor before the end of the following month of May. The Statement of Accounts of the Council (which is subject to external audit), including the annual governance statement, shall be presented to Council for formal approval before 30 June.

16 Estimates/precepts

- a The Council shall approve written estimates for the coming financial year at its meeting before the end of January.
- b Any committee desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year no later than December.

17 Canvassing of and recommendations by councillors

- a Canvassing councillors or the members of a committee or sub-committee, directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such an appointment. The Proper Officer shall disclose the requirements of this standing order to every candidate.
- b A councillor or a member of a committee or sub-committee shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for promotion; but, nevertheless, any such person may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- c This standing order shall apply to tenders as if the person making the tender were a candidate for an appointment.

18 Inspection of documents

- a Subject to standing orders to the contrary or in respect of matters which are confidential, a councillor may, for the purpose of his official duties (but not otherwise), inspect any document in the possession of the Council and request a copy for the same purpose. The minutes of meetings of the Council shall be available for inspection by councillors.

19 Unauthorised activities

- a Unless authorised by a resolution, no individual councillor shall in the name or on behalf of the Council:
 - i. inspect any land and/or premises which the Council has a right or duty to inspect; or
 - ii. issue orders, instructions or directions.

20 Confidential business

- a Councillors shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature.
- b A councillor in breach of the provisions of standing order 20(a) above may be removed from a committee or a sub-committee by a resolution of the Council.

21 Power of well-being

- a. Before exercising the power to promote well-being, a meeting of the full Council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria required to qualify as an eligible parish council.
- b. The Council's period of eligibility begins on the date that the resolution under standing order 25 (a) above was made and expires on the day before the annual meeting of the Council that takes place in a year of ordinary elections.
- c. After the expiry of its preceding period of eligibility, the Council continues to be an eligible council solely for the purpose of completing any activity undertaken in the exercise of the power to promote well-being which was not completed before the expiry of the Council's preceding period of eligibility referred to in standing order 25(b) above.

22 Freedom of Information Act 2000

- a All requests for information held by the Council shall be processed in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000.
- b Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the chairman. The Chairman shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000.

23 Relations with the press/media

a. In respect to dealing with the press and/or other media, councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media without express permission from the Parish Council.

b. E-mailed consent of draft statements for approval will be sufficient provided it has been circulated to all councillors and a quorum has responded.

c. The clerk and a councillor or at least two councillors should be present at any formal meeting with the public or outside agencies.

24 Liaison Milton Keynes Councillors

- a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the Ward Councillor(s) of Milton Keynes Council .

25 Financial matters

- a. Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £25,000 shall be procured on the basis of a formal tendering round.
- b. Where the value of a contract is likely to exceed £60,000 (or other threshold specified by the Office of Government Commerce from time to time) the Council must consider whether the Public Contracts Regulations 2006 (SI No.5, as amended) and the Utilities Contracts Regulations 2006 (SI No. 6, as amended) apply to the contract and, if either of those Regulations apply, the Council must comply with EU procurement rules.

26 Allegations of breaches of the code of conduct

- a On receipt of a notification that there has been an alleged breach of the code of conduct

the Proper Officer shall refer it to the Chairman.

27 Variation, revocation and suspension of standing orders

- b Any or every part of the standing orders, except those which are mandatory by law, may be suspended by resolution in relation to any specific item of business.
- c A motion to add to or vary or revoke one or more of the Council's standing orders, not mandatory by law, shall be proposed by a motion notified on the agenda

28 Standing orders to be given to councillors

- a The Proper Officer shall provide a copy of the Council's standing orders to a councillor upon delivery of his declaration of acceptance of office.
- b The Chairman's decision as to the application of standing orders at meetings shall be final.
- c A councillor's failure to observe standing orders more than 3 times in one meeting may result in him being excluded from the meeting.