

# **Standing Orders for Greywell Parish Council**

**Adopted March 2020**

# 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 Filming, photographing, recording, broadcasting or transmitting the proceedings of any meeting of Council, [or] a committee [or sub-committee] should be conducted in accordance with the Council's Protocol for Reporting at Meetings.
- 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 (if any).
- 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 (y) 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 The code of conduct adopted by the Council shall apply to councillors in respect of the entire meeting.
- m An interest arising from the code of conduct adopted by the Council, the existence and nature of which is required to be disclosed by a Councillor at a meeting shall be recorded in the minutes.
- n 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.
- o 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 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.
- b 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.
- c If no other time is fixed, the annual meeting of the Council shall take place at 6pm.
- d 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.
- e The election of the Chairman and Vice-Chairman of the Council shall be the first business completed at the annual meeting of the Council.
- f 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.
- g The Vice-Chairman of the Council, if any, 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.
- h 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.
- i 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.

### 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. Electronically serve on councillors a summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee and a sub-committee at least 3 clear days before the meeting provided any such email contains the electronic signature and title of the Proper Officer].
  - ii. Give public notice of the time, date, venue and agenda at least 3 clear days before a meeting of the Council or a meeting of a committee or a sub- committee (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)ii above.
  - iv. Make available for inspection the minutes of meetings.
  - v. Receive and retain copies of byelaws made by other local authorities.
  - vi. Receive and retain declarations of acceptance of office from councillors.
  - vii. Retain a copy of every councillor's register of interests and any changes to it and keep copies of the same available for inspection.
  - viii. Keep proper records required before and after meetings;
  - ix. Process all requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council's procedures relating to the same.
  - x. Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
  - xi. Respond to planning applications when it is not possible for the application to be put before a meeting of the Parish Council. The comment submitted to take into consideration advice received in writing from Councillors and the responses of residents and consultees and to be reported to the next meeting of the Parish Council.
  - xii. Manage the organisation, storage of and access to information held by the Council in paper and electronic form.

- xiii. Arrange for legal deeds [to be sealed using the Council's common seal] OR [to be signed by 2 councillors] and witnessed (*See also model standing orders 14(a) and (b).*)
- xiv. Arrange for the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations.

## 4 Motions not requiring written notice

- a Motions in respect of the following matters may be moved without written notice.
  - i. To suspend any standing order except those which are mandatory by law.

## 5 Code of conduct (England)

- a All councillors shall observe the code of conduct adopted by the Council.

## 6 Expenditure

- a The Council's financial regulations shall be reviewed once a year.
- b 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.

## 7 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 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.

## 8 Extraordinary meetings

- 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.

## 9 Estimates/precepts

- a The Council shall approve written estimates for the coming financial year at its meeting before the end of January.

## 10 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 £5,000 shall be procured on the basis of a formal tender as summarised in standing order 11(b) below.
- b Where the value of a contract is likely to exceed £138,893 (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.

## 11 Committees and sub-committees

- a The council may appoint standing committees or other committees as may be necessary, and:
  - i. shall determine their terms of reference;
  - ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of full council;
  - iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
  - iv. shall, subject to standing orders 4(b) and (c) above, appoint and determine the terms of office of members of such a committee;
  - v. may, subject to standing orders 4(b) and (c) above, appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer 7 days before the meeting that they are unable to attend;
  - vi. shall, after it has appointed the members of a standing committee, appoint the chairman of the standing committee;
  - vii. shall permit a committee other than a standing committee, to appoint its own chairman at the first meeting of the committee;
  - viii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which shall be no less than three;
  - ix. shall determine if the public may participate at a meeting of a committee;
  - x. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
  - xi. shall determine if the public may participate at a meeting of a sub- committee that they are permitted to attend; and
  - xii. may dissolve a committee.

- xiii. Unless the council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.
- xiv. The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the council.
- xv. Unless the council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.