

## **STANDING ORDERS**

Reviewed at a Parish Council Meeting held 2 May 2017

Signed: .....  
(C. Harris, Chair)

Signed.....  
(F.R. Allbury, Clerk)

Where Standing Orders are printed in bold type, these are compulsory as laid down in Acts of Parliament. They cannot be altered.

### Meetings

- 1 Meetings of the Parish Council will be held bi-monthly, usually at the Loder Hall in Maidwell at 7.00pm on previously agreed dates unless the Council otherwise decides at a previous meeting.
- 2 Smoking is not permitted at any meeting of the Council.
- 3 **In an election year the Annual Parish Council Meeting shall be held on or within 14 days following the day at which the councillors elected take office and in a year, which is not an election year, the Annual Parish Council Meeting shall be held on such day in May as the Council may direct.**
- 4 **In addition to the Statutory Annual Parish Council Meeting, at least three other statutory meetings shall be held in each year at such dates and times and at such a place as the Council may direct.**

### Chairman of Meetings

- 5 **The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.**

### Proper Officer

- 6 Where a statute, regulation or order confers functions or duties on the proper officer of the Council in the following cases, he/she shall be the clerk:
  - a. To receive declarations of acceptance of office
  - b. To receive undertakings to observe the code of conduct adopted by the council
  - c. To receive and record notices disclosing interests
  - d. To receive and retain plans and documents
  - e. To sign notices or other documents on behalf of the Council
  - f. To receive copies of byelaws made by Daventry District Council
  - g. To certify copies of byelaws made by the Council
  - h. To sign summonses to attend meetings of the Council
  - i. To keep proper records for all Parish Council meetings

In any other case the proper officer shall be the person nominated by the Council and, in default of nomination, the clerk.

### Quorum

- 7 **Three members or one-third of the total membership, whichever is the greater, shall constitute a quorum at all Parish Council meetings. Three members will constitute a quorum at all other sub-committee meetings.**
- 8 If a quorum is not present when the Council meets, or if during a meeting the number of councillors present and not debarred by reason of a declared interest falls below the quorum, the meeting will be adjourned and the business not transacted at that meeting shall be postponed to the next meeting or on such other day as the Chairman may fix.

### Voting

- 9 **Members shall vote by show of hands, or, if at least two members so request, by signed ballot.**
- 10 **If a member so requires, the Clerk shall record the names of the members who voted on any question so as to show whether they voted for or against it. Such a request must be made before moving on to the next business.**
- 11 **Subject to Standing Order 12 and 13 the Chairman may give an original vote on any matter put to the vote, and in the case of an equality of votes may give a casting vote whether or not he/she gave an original vote.**
- 12 **If the person presiding at the annual meeting would have ceased to be a member of the council but for the statutory provisions which preserve the membership of the Chairman and Vice-Chairman until the end of their term of office he may not give an original vote in an election for the Chairman.**
- 13 **The person presiding must give a casting vote whenever there is an equality of votes in an election for the Chairman.**

### Order of Business

- 14 In an election year Councillors should execute Declarations of Acceptance of Office in each other's presence, or in the presence of a proper officer previously authorised by the Council to take such declaration, before the annual meeting commences.
- 15 At each Annual Parish Council Meeting the first business shall be:
- a. To elect a Chairman of the Council
  - b. To receive the Chairman's declaration of acceptance of office or, if not then received, to decide when it shall be received
  - c. In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations
  - d. To decide when any declarations of acceptance of office and written undertakings to observe the code of conduct adopted by the council, which have not been received as provided by law, shall be received
  - e. To elect a Vice-Chairman
  - f. To appoint sub-committees or any other officers which the Council deems necessary
  - g. To appoint representatives to outside bodies
  - h. To consider the payment of any subscriptions due to be paid annually

and thereafter follow the order set out in Standing Order 18.

- 16 At every meeting other than the Annual Parish Council Meeting the first business shall be to appoint a Chairman if the Chairman and Vice-Chairman be absent and to receive such declarations of acceptance of office (if any) and undertaking to observe the Council's code of conduct as are required by law to be made, or if not then received to decide when they shall be received.
- 17 In every year the Parish Council shall review the pay and conditions of service of the clerk as per the relevant clauses in the Contract of Employment.
- 18 After the first business has been completed, the order of business, unless the Parish Council decides otherwise on the grounds of urgency, shall be:
- a. Declarations of Interest
  - b. To read and consider the Minutes
  - c. **After consideration, to approve the signature of the Minutes, by the presiding Chairman, as a correct record**
  - d. **To deal with any business expressly required by statute to be done.**
  - e. To consider communications presented to the Parish Council
  - f. To receive and consider reports from sub-committees
  - g. If necessary, to authorise the signing of orders and cheques for payment
- 19 A motion to vary the order of business on the ground of urgency may be proposed by the Chairman or by any member and, if proposed by the Chairman, may be put to the vote without being seconded, and shall be put to the vote without discussion.

#### **Resolutions moved on Notice**

- 20 Except as provided by these Standing Orders, no resolution may be moved unless the business to which it relates has been put on the Agenda by the Clerk or the mover has given notice in writing of its terms and has delivered the notice to the Clerk not later than 4 clear days before the next meeting of the Council.
- 21 The Clerk shall insert in the summons for every meeting all notices of motion or recommendation properly given unless the member giving a notice of motion has stated in writing that he intends to move at some later meeting or that he withdraws it.
- 22 If a resolution or recommendation specified in the summons is not moved either by the member who gave notice of it or by any other member, it shall, unless postponed by the Parish Council, be treated as withdrawn and shall not be moved without fresh notice.
- 23 If the subject matter of a resolution comes within the province of a sub-committee of the Parish Council, it shall, upon being moved and seconded, stand referred without discussion to such committee or to such other committee as the Parish Council may determine for report; provided that the Chairman, if he considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.
- 24 Every resolution or recommendation shall be relevant to some subject over which the Parish Council has power or which affects its area.

#### **Resolutions moved without Notice**

25 Resolutions dealing with the following matters may be moved without notice:

- a. To appoint a Chairman of the meeting
- b. To correct the Minutes
- c. To approve the Minutes
- d. To alter the order of business
- e. To proceed to the next business
- f. To close or adjourn the debate
- g. To refer a matter to a sub-committee
- h. To appoint a sub-committee or any members thereof
- i. To adopt a report
- j. To authorise the sealing of documents
- k. To amend a motion
- l. To give leave to withdraw a resolution or an amendment
- m. To exclude the public
- n. To silence or eject from the meeting a member named for misconduct
- o. To give the consent of the Parish Council where such consent is required by these Standing Orders
- p. To suspend any Standing Order
- q. To adjourn the meeting

#### **Questions**

- 26 A member may ask the Chairman or the Clerk any question concerning the business of the Parish Council, provided notice of the question has been given to the person to whom it is addressed before the meeting begins.
- 27 No questions not connected with business under discussion shall be asked unless the Chairman gives permission.
- 28 Every question shall be put and answered without discussion.
- 29 A person to whom a question has been put may decline to answer.

#### **Rules of Debate**

- 30 No discussion shall take place upon the Minutes except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chairman.
- a. A resolution or amendment shall not be discussed unless it has been proposed and seconded, and, unless proper notice has already been given, it shall, if required by the Chairman, be reduced to writing and handed to him before it is further discussed or put to the meeting.
  - b. Members shall keep their discussion to the item on the agenda that is currently under discussion, or to a question of order.
  - c. No member may speak for an excessive time except by consent of the Parish Council.
  - d. An amendment shall be either:
    - i. To leave out words
    - ii. To leave out words and insert or add others
    - iii. To insert or add words
  - e. An amendment shall not have the effect of negating the resolution before the Parish Council.
  - f. If an amendment is carried, the resolution, as amended, shall take the place of the original resolution and shall become the resolution upon which any further amendment may be moved.
  - g. A further amendment shall not be moved until the Parish Council has disposed of every amendment previously moved.
  - h. When a resolution is under debate no other resolution shall be moved except the following:
    - i. To amend the resolution
    - ii. To proceed to the next business
    - iii. To adjourn the debate
    - iv. That the question be now put
    - v. That a member named be not further heard
    - vi. That a member named does leave the meeting
    - vii. That the resolution be referred to a committee
    - viii. To exclude the public and press
    - ix. To adjourn the meeting
- 31 The ruling of the Chairman shall not be discussed.
- 32 Members shall address the Chair.

## **Closure**

- 33 At any point a member may, without comment, move "that the question be now put", "that the debate be now adjourned" or "that the Parish Council do now adjourn". If such motion is seconded the Chairman shall put the motion but, in the case of a motion "to put the question", only if he is of the opinion that the question before the Parish Council has been sufficiently debated. If the motion "that the question be now put" is carried, he shall call upon the mover to exercise or waive his right of reply and shall put the question immediately after that right has been exercised or waived. The adjournment of a debate or of the Parish Council shall not prejudice the mover's right of reply at the resumption.

(Note: Where a meeting is adjourned the subsequent proceedings are part of the original meeting and no new notices or agendas need to be issued except a notification to members not present of the date of the continuation of the meeting).

## **Disorderly Conduct**

- 34 **All members must observe the Code of Conduct, which was adopted by the council on the appointment of each councillor, a copy of which is available on request.**
- 35 **No member shall at a meeting persistently disregard the ruling of the Chairman, wilfully obstruct business, or behave irregularly, offensively, improperly or in such a manner as to bring the Parish Council into disrepute.**
- 36 **If, in the opinion of the Chairman, a member has acted in a manner contrary to that required, the Chairman shall express that opinion to the Parish Council and thereafter any member may move that the member named be no longer heard or that the member named do leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion. If a member reasonably believes that another member is in breach of the code of conduct, that member is under a duty to report the breach to the Standards Board.**
- 37 If the motion mentioned in Standing Order 36 is disobeyed, the Chairman may suspend the meeting or take such further steps as may reasonably be necessary to enforce it.

## **Right of Reply**

- 38 The mover of a resolution shall have a right to reply immediately before the resolution is put to the vote. If an amendment is proposed the mover of the amendment shall be entitled to reply immediately before the amendment is put to the vote. A member exercising a right of reply shall not introduce new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

## **Alteration of Resolution**

- 39 A member may, with the consent of his seconder, move amendments to his own resolution.

## **Rescission of Previous Resolution**

- 40 A decision (whether affirmative or negative) of the Parish Council shall not be reversed within six months except either by a special resolution, the written notice whereof bears the names of at least three members of the Parish Council, or by a resolution moved in pursuance of the report or recommendation of a committee.
- 41 When a special resolution or any other resolution moved under the provisions of Standing Order 40 has been disposed of, no similar resolution may be moved within a further six months.

## **Voting on Appointments**

- 42 Where more than two persons have been nominated for any position to be filled by the Parish Council and of the votes given there is not an absolute majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken, and so on until a majority of votes is given in favour of one person.

## **Discussions and Resolutions affecting Employees of the Council**

- 43 If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service, of any person employed by the Parish Council, it shall not be considered until the Parish Council or sub-committee (as the case may be) has decided whether or not the public shall be excluded.

## **Resolutions on Expenditure**

- 44 Any resolution (which is moved by any sub-committee) which, if carried, would, in the opinion of the Chairman, substantially increase the expenditure upon any service which is under the management of the Parish Council or reduce the revenue at the disposal of any sub-committee, or which would involve capital expenditure, shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Parish Council, and any sub-committee affected by it shall consider whether it desires to report thereon.

#### **Expenditure**

- 45 **Orders or cheques for the payment of money shall be authorised by resolution of the Council and signed by two members.**

#### **Sealing of Documents**

- 46 A document shall not be sealed on behalf of the Parish Council unless its sealing has been authorised by a resolution.
- 47 Any two members of the Parish Council named in a resolution moved under the provisions of Standing Order 46 may seal, on behalf of the Council, any document required by law to be issued under seal.

#### **Sub-Committees**

- 48 The Parish Council may at its Annual Meeting appoint standing committees and may at any other time appoint such other committees as are necessary, but subject to any statutory provision in that behalf:
- a. shall not appoint any member of a sub-committee so as to hold office later than the next Annual Meeting
  - b. may appoint persons other than members of the Parish Council (but without voting rights) to any sub-committee; and
  - c. may, subject to the provisions of Standing Order 40 and 41 at any time dissolve or alter the membership of a sub-committee.
- 49 The Chairman, Vice-Chairman and all Parish Councillors will be members of every sub-committee.
- 50 Every sub-committee shall at its first meeting before proceeding to any other business, elect a Chairman who shall hold office until the next Annual Meeting of the Parish Council.
- 51 The Chairman of a sub-committee or the Chairman of the Parish Council may summon an additional meeting of that committee at any time. An additional meeting shall also be summoned on the requisition in writing of not less than a quarter of the members of the committee. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.
- 52 Every sub-committee may appoint further sub-committees for purposes to be specified by the committee.
- 53 The Chairman of the sub-committee shall be a member of every further sub-committee appointed by it unless they signify that they do not wish to serve.
- 54 Except where ordered by the Parish Council in the case of a sub-committee, the quorum of a sub-committee shall be three Parish Councillors.
- 55 The Standing Orders on rules of debate and the Standing Order on interests of members in contracts and other matters shall apply to sub-committee meetings.

#### **Advisory Committees**

- 56 The Parish Council may appoint advisory committees.
- 57 The Clerk shall inform the members of each advisory committee of the terms of reference of the committee.
- 58 An advisory committee may make recommendations and give notice thereof to the Parish Council.
- 59 An advisory committee may consist wholly of persons who are not members of the Parish Council.

#### **Voting in Committees**

- 60 Members of sub-committees entitled to vote shall vote by show of hands, or, if at least two members so request, by signed ballot.
- 61 **Chairmen of sub-committees shall in the case of an equality of votes have a second or casting vote.**

### **Presence of the Public at Sub-Committee Meetings**

- 62 Members of the public will be allowed to participate in the debate at any sub-committee meeting, but will not be able to vote. Chairmen of sub-committee meetings should, at the opening of each meeting, make an announcement to this effect.

### **Accounts and Financial Statements**

- 63 Except as provided in Standing Order 64 or by statute, all accounts for payment and claims upon the Parish Council shall be laid before the Parish Council.
- 64 Where it is necessary to make a payment before it has been authorised by the Parish Council, the appropriate officer shall certify such payment as to its correctness and urgency. Such payment shall be authorised by the Chairman or Vice-Chairman of the Parish Council.
- 65 All payments ratified under Standing Order 64 shall be separately included in the next schedule of payments laid before the Parish Council.
- 66 The responsible financial officer shall supply to each Parish Councillor a copy of the Parish Council's annual accounts when they are submitted for audit.

### **Estimates**

- 67 The Council shall approve written estimates for the coming financial year at its meeting in the month of January.

### **Interests**

- 68 **If a member has a personal interest as defined in the Code of Conduct adopted by the Council, then he shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of the interest as required.**
- 69 **If any member who has declared a personal interest then considers the interest to be prejudicial, he must withdraw from the room or chamber during consideration of the item to which the interest relates.**
- 70 **The Clerk may be required to compile and hold a Register of Member's Interests, or a copy thereof, in accordance with agreement reached with the Monitoring Officer of the Responsible Authority and/or as required by statute.**
- 71 If a candidate for any appointment under the Parish Council is to his knowledge related to any member of or the holder of any office under the Parish Council, he and the person to whom he is related shall disclose the relationship in writing to the Clerk. A candidate who fails so to do shall be disqualified for such appointment, and, if appointed, may be dismissed without notice. The Clerk shall report to the council or to the appropriate committee any such disclosure. Where relationship to a member is disclosed Standing Order 69 shall apply.
- 72 The Clerk shall make known the purport of Standing Order 71 to every candidate.

### **Canvassing of and Recommendations by Members**

- 73 Canvassing of members of the Parish Council, directly or indirectly, for any appointment under the Parish Council shall disqualify the candidate for such appointment. The Clerk shall make known the purport of this sub-paragraph of this Standing Order to every candidate.
- 74 A member of the Parish Council or of any sub-committee shall not solicit for any person any appointment under the Parish Council or recommend any person for such appointment or for promotion; but, nevertheless, any such member may give a written testimonial of a candidate's ability, experience or character for submission to the Parish Council with an application for appointment.
- 75 Standing Order 71 and 73 shall apply to tenders as if the person making the tender were a candidate for an appointment.

### **Inspection of Documents**

- 76 A member may for the purpose of his duty as such (but not otherwise), inspect any document in possession of the Parish Council or a sub-committee, and if copies are available shall, on request, be supplied for the like purpose with a copy.
- 77 **All Minutes kept by the Parish Council and by any committee shall be open for the inspection of any member of the Parish Council.**

### **Unauthorised Activities**

- 78 No member of the Council shall in the name of or on behalf of the Council:
- a. inspect any lands or premises which the Parish Council has a right or duty to inspect; or
  - b. issue orders, instructions or directions unless authorised to do so by the Parish Council

#### **Admission of the Public and Press to Meetings**

- 79 **The public shall be admitted to all meetings of the Parish Council and its sub-committees, which may, however, temporarily exclude the public and press by means of the following resolution:**

**"That in view of the [special] [confidential] nature of the business about to be transacted, it is advisable in the public interest that the public be temporarily excluded and they are instructed to withdraw."**

(Notes: The special reasons should be stated. If a person's advice or assistance is needed he may be invited (by name) to remain after the exclusion resolution is passed).

- 80 The Clerk shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present.
- 81 If a member of the public interrupts the proceedings at any meeting, the chairman may, after warning, order that he be removed from the Parish Council meeting.

#### **Confidential Business**

- 82 No member of the Parish Council shall disclose to any person not a member of the Parish Council any business declared to be confidential by the Council.
- 83 Any member in breach of the provisions of Standing Order 82 shall be removed from the Parish Council.

#### **Liaison with County and District Councillors**

- 84 District and County Councillors representing Lamport and Hanging Houghton are invited to attend the ordinary meetings of the Parish Council and where the business is relevant to the authorities on which they serve, may, at the invitation of the Chairman, speak without Standing Orders being suspended.
- 85 A notice of meeting shall be sent together with an invitation to attend to the County Councillor and to the District Councillor or Councillors.
- 86 Unless the Parish Council otherwise orders, a copy of each letter ordered to be sent to the County or District Council shall be transmitted to the County Councillor for the division or to the District Councillor for the ward as the case may require.

#### **Planning Applications**

- 87 The Clerk shall, as soon as it is received, enter on the agenda for the appropriate meeting the following particulars of every planning application notified to the Parish Council:
- a. the date on which it was received;
  - b. the name of the applicant;
  - c. the place to which it relates;
  - d. a summary of the nature of the application.

Where a Parish Council meeting is not due to take place within an appropriate timescale, the Parish Council may hold an extra meeting to discuss planning applications where necessary.

- 88 The Clerk shall refer every planning application to the Chairman or in the Chairman's absence to the Vice-Chairman within 48 hours of receipt.

#### **Financial Matters**

- 89 The Parish Council shall consider and approve Financial Regulations drawn up by the Responsible Financial Officer. Such regulations shall include detailed arrangements for the following:
- a. The accounting records and systems of internal control
  - b. The assessment and management of risks faced by the Parish Council
  - c. The work of the Internal Auditor and the receipt of regular reports from the Internal Auditor which shall be required at least annually
  - d. The financial reporting requirements of members and local electors

- e. Procurement policies (subject to Standing Order 90) including the setting of values for different procedures where the purchase order has an estimated value less than £1000.
- 90 Any proposed order for the supply of goods, materials, services and the execution of works with an estimated value in excess of £1000 shall be procured on the basis of a formal tender as summarised in Standing Order 91.
- 91 Any formal tender process shall comprise the following:
- a. A public notice of intention to place a contract to be placed in a local newspaper
  - b. A specification of the goods, materials, services and the execution of works will be drawn up
  - c. Tenders are to be sent, in a sealed marked envelope, to the Clerk by a stated date and time
  - d. Tenders submitted are to be opened, after the stated closing date and time, by the Clerk and at least one member of the Parish Council
  - e. Tenders are then to be assessed and reported to the appropriate meeting of the Parish Council
  - f. The Parish Council is not bound to accept the lowest tender, estimate or quote. Any tender notice shall contain a reference to Standing Orders 71, 73 and 74 regarding improper activity.
  - g. The Financial Regulations of the Parish Council shall be subject to regular review, at least once every four years.

#### **Code of Conduct on Complaints**

- 92 The Parish Council shall deal with complaints of maladministration allegedly committed by the Parish Council or by any Parish Councillor in the manner recommended in Circular 2/86 issued by the National Association of Local Councils.

#### **Absence from Meetings**

- 93 The Clerk shall record apologies for absence from meetings of the Parish Council in the minutes. If no apologies are recorded the member shall be listed as absent.

#### **Extraordinary Meetings**

- 94 These can be called by the Chairman between the normal meetings of the Parish Council if: -
- a. The business is urgent
  - b. The business would take up excessive time at a normal meeting
  - c. A written request by at least two councillors is received
- 95 The summons shall set out the business to be considered at the extraordinary meeting and no other business shall be transacted at that meeting.

#### **Publication of Minutes**

- 96 The minutes of each Parish Council Meeting shall be circulated by the Clerk to all Parish Councillors within two weeks of the meeting.

#### **Variation, Revocation and Suspension of Standing Orders**

- 97 **Any or every part of the Standing Orders, except those printed in bold type may be suspended by resolution in relation to any specific item of business.**
- 98 A resolution permanently to add, vary, or revoke a Standing Order shall when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Parish Council.

#### **Media Relations**

- 99 The Parish Council will appoint a Press Officer (normally the Chairman) who is responsible for handling enquiries from the media and for the issue of press releases and other articles to the press in the name of the Parish Council. The Press Officer must ensure that any opinions expressed to the media on behalf of the Parish Council are an accurate reflection of the views of the Parish Council, as reflected in the minutes and decisions of the Parish Council and its committees.
- 100 Any Parish Council member or employee approached by the media for the views of the Parish Council on any issue should refer the enquirer to the Press Officer.

101 None of the above prevents Parish Council members or employees from discussing Parish Council business with the media. They must make it clear, however, that they are speaking on their own behalf and not for the Parish Council.

**Standing Orders to be given to Members**

102 A copy of these Standing Orders shall be given to each Parish Councillor by the Clerk upon delivery to her of the Councillor's declaration of acceptance of office.