

Hathern Parish Council

Standing Orders

Record of Changes

Date	Change
01.06.15	1 st draft to F&GP
08.06.15	Reviewed, amended and adopted by PC
13.06.16	Reviewed and adopted by PC without amendment
12.06.17	Reviewed and adopted by PC without amendment

Table of Contents

1 COUNCILLORS.....	3
2 ANNUAL MEETINGS.....	3
3 MEETINGS.....	3
4 FINANCE	5
5 FREEDOM OF INFORMATION.....	5
6 CLERK TO THE COUNCIL	5
7 COMMITTEES & WORKING GROUPS	5
8 EMERGENCY BUSINESS	6
9 ALTERATION OR REVERSAL OF PREVIOUS BUINESS.....	6
10 EXTRAORDINARY MEETING.....	6
11 BREACH OF CODE OF CONDUCT.....	6
12 LEGAL DEEDS.....	6
13 STANDING ORDERS.....	6

1. Councillors

1.1. Following election or co-option to the Council, each Councillor will be issued with a copy of the Code of Conduct and Standing Orders of the Council. They will sign the form of Declaration of Acceptance of Office in the presence of the Clerk of the Council, or of a Councillor who has been specifically designated by the Council for this purpose.

1.2. All Councillors will observe the Code of Conduct at all times when on Council business and no member will act in such a way that will bring the Council into disrepute, behave offensively in meetings or obstruct the Council's business.

1.3. The Code of Conduct adopted by the Council will define when a Councillor will declare a personal or prejudicial interest in an item for discussion at a Council meeting. The Councillor will declare that interest and the nature of the interest at the earliest opportunity.

2. Annual Meetings

2.1. If the Annual Meeting is in an election year it must be held within 14 days after that election. If it is not an election year then the annual meeting will take place on an appropriate day in May.

2.2. If the outgoing Chairman is available then he/she will preside until a new Chairman has been elected.

2.3. Following the election of the Chairman of the Council and Vice-Chairman (if any) of the Council at the annual meeting of the council, in an election year, the business of the annual meeting shall include delivery by the Chairman of the Council and councillors of their acceptance of office forms unless the council resolves for this to be done at a later date. In a year which is not an election year, business shall include delivery by the Chairman of the Council of his acceptance of office form unless the council resolves for this to be done at a later date

3. Meetings

3.1. Meetings will be held in appropriate, accessible accommodation. Unless no other accommodation is available the meetings will not be held in premises used for the supply of alcohol.

3.2. Councillors will be advised of the meetings by the issue of a summons and agenda. These must be issued at least three clear days before the meeting.

3.3. Public notices will be posted on the Council's notice boards informing members of the public of the venue, time, date and business to be transacted at the meeting. The notice will be posted at least three clear days before the meeting. The minimum three clear days for notice of a meeting does not include 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

3.4. 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 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 they may be invited (by name) to remain after the exclusion resolution passed.)

3.5. Members of the public may speak at Council meetings at the discretion of the Chairman of the meeting.

3.6. The agenda for the meeting will be agreed by the Clerk, Chairman and Vice Chairman as appropriate. The agenda will always include an item to enable Councillors to declare interests. In these matters the Council and the Councillors will adhere to the Code of Conduct as adopted by the Council. An opportunity for public questions will be made available immediately before the commencement of each meeting.

3.7. The Council may only take decisions on items clearly specified on the agenda; if agreed by the chairman, any urgent items which are not on the agenda may be discussed, but no decision may be made, at that meeting.

3.8. Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council (if any).

3.9 The Chairman of the Council will preside at the meeting and will be responsible for the conduct of that meeting. If the Chairman is not present then the Vice Chairman will preside. If they are not present then the first matter on the agenda will be the election of an appropriate Councillor who will chair the meeting. Whoever chairs the meeting will assume the duties of the Chairman for the meeting.

3.10. The quorum for the Council will be 3. If there are insufficient members present then no business will be transacted and a fresh notice will be issued to reconvene the meeting at a later date.

3.11. If at any time during the meeting it ceases to be quorate then the meeting will be adjourned and any further business carried forward to the meeting when next convened.

3.12. Voting at the meeting shall be by a show of hands unless a majority of Councillors wants a ballot. Only the proposer and seconder will be recorded in the minutes unless a Councillor requests that their vote is noted. A Councillor may also request that the Clerk records how each Councillor has voted, including abstentions. Any request of this nature will be made before moving on to the next business.

3.13. In cases of equal votes the Chairman (or other person presiding) will have a second or casting vote.

3.14. A minute of the meeting will be kept by the Clerk or other nominated person in the Clerk's absence. The minutes which are circulated will be draft minutes until they are approved by the Parish Council at their next meeting and signed by the person presiding at that meeting.

3.15. With regard to planning applications - if there is a personal interest a statement can be made to the Parish Council meeting but then the person must leave the meeting while discussions take place

3.16 The press shall be provided with reasonable facilities for the taking of their report of a meeting.

4. Finance

4.1. All financial matters of the Council (including Risk Assessment) shall be managed in accordance with the Council's Financial Regulations

5. Freedom of Information

5.1. The Council is subject to the Freedom of Information Act and has adopted the Model Publication Scheme for Parish Councils. The Clerk will ensure the Council conforms to the requirements of the Act allowing public access to the appropriate documents.

6. Clerk to the Council

6.1. The Council may appoint a number of employees to assist it in the performance of its duties. The Council will appoint a Clerk to the Council which will be on an employed basis, unless the Clerk is a member of the Council, acting in an unpaid capacity.

6.2. The Clerk will act as the Proper Officer of the Council, and he/she will: receive the Declarations of Acceptance of Office and notices disclosing interests; sign documents on behalf of the Council and issue agendas and notices of meetings; receive and distribute plans and documents on behalf of the Council; and also advise the bank of changes to mandates with the bank.

6.3. The Clerk will act as Responsible Financial Officer or be responsible for managing a Finance Officer or other employees of the Council.

6.4. As an employee of the Council the Clerk is covered by employment legislation dealing with employment rights, discrimination in employment, unfair dismissal, redundancy and similar matters. The Clerk will therefore have a contract of employment stating the terms and conditions under which he/she is employed. This will effectively be administered by the Chairman or designated Councillor acting with the authority of the Council.

7. Committees and working groups

7.1. The Council may set up committees and working groups to undertake work on behalf of the Council. The Council will set their Terms of reference, and they will report periodically to the Council.

7.2. Unless the council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.

7.3. The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the council.

7.4. Unless the council determines otherwise, all the members of a committee and a sub-committee of the committee may be non-councillors.

8. Emergency Business

8.1. Should it not be appropriate to convene an extraordinary meeting then any emergency business will be handled by the Clerk, in consultation with the Chairman and one other Councillor. Actions will be reported promptly to the Council.

9. Alteration or Reversal of previous decisions

9.1. Decisions of the Council will not be revised within 4 months, except where a special item is placed on the agenda bearing the name of two Councillors, and is considered and approved by the Council.

10. Extraordinary Meetings

10.1. The Chairman of the Council may convene an extraordinary meeting of the council at any time.

10.2. If the Chairman of the Council does not or refuses to call an extraordinary meeting of the council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the council. The public notice giving the time, place and agenda for such a meeting must be signed by the two councillors

11. Breach of Code of Conduct

11.1. Upon notification by the District or Unitary Council that a councillor or non-councillor with voting rights has breached the council's code of conduct, the council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.

12. Legal Deeds

12.1 A legal deed shall not be executed on behalf of the council unless authorised by a resolution.

12.2 Subject to standing order 12.1 above, any two councillors may sign, on behalf of the council, any deed required by law and the Proper Officer shall witness their signatures.

13. Standing Orders

13.1. These and any other standing orders will be reviewed annually by the Clerk and the Councillors, and any amendments will be decided by the Council.

13.2. During the course of meetings of the Council, the Chairman's decision as to the interpretation of the standing orders will be final. In cases of doubt, the Council will seek the advice of the Leicestershire & Rutland Association of Local Councils.

13.3. The Council may resolve to suspend a Standing Order, in order to progress the business of the Council, and such decision will be included in the minutes. The suspension will not be taken lightly and it will be time-limited.

These Standing Orders were adopted by the Parish Council at a meeting of the Council held on 13th June 2016