

MARSH GIBBON PARISH COUNCIL

Standing Orders Policy 04



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MARSH GIBBON PARISH COUNCIL**STANDING ORDERS****PROCEEDINGS AND BUSINESS OF THE COUNCIL****1. MEETINGS OF THE COUNCIL**

- (a) Meetings of the Council shall be held at the Village Hall at 8.00pm unless the Council decides otherwise at a previous meeting.
- (b) Full Council Meetings will be held normally on the second Tuesday of each calendar month.
- (c) The Statutory Annual (General) Meeting shall be held -
 - (i) In an election year on the next Tuesday following the fourth day after the ordinary day of elections to the Council; and
 - (ii) In a year that is not an election year on the second Tuesday in May.

2. CHAIRMAN OF MEETING

The Chairman of the Parish Council to be the Chairman of Council meetings or any person appointed to preside at the meeting in the absence of the Council Chairman.

3. PROPER/RESPONSIBLE FINANCIAL OFFICER

Where a statute, regulation or order confers functions or duties on the proper officer or responsible financial officer of the Council, in the following cases that shall be the Clerk:

- (a) To receive declarations of acceptance of office.
- (b) To receive and record notices disclosing pecuniary interests.
- (c) To receive and retain plans and documents.
- (d) To sign notices or other documents on behalf of the Council.
- (e) To receive copies of byelaws made by the District Council.
- (f) To sign summonses to attend meetings of the Council

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

The Clerk shall be the Responsible Financial Officer.

4. DECLARATIONS OF INTEREST

- (a) Members will abide by the Code of Conduct adopted by Council.
- (b) Members will declare their disclosable pecuniary interests annually to the local authority's Monitoring Officer and the Clerk
- (c) Members will declare any personal or pecuniary interest they may have in any item/s on the agenda of a meeting.

5. QUORUM

- (a) Business shall not be transacted at a meeting unless at least three members are present.
- (b) If during any meeting of the Council, the Chairman, after counting the number of members present, declares that there is not a quorum, the meeting shall stand adjourned.
- (c) The consideration of any business not transacted shall be adjourned to a time fixed by the Chairman at the time the meeting is adjourned, or to the next ordinary meeting of the Council.

6. NOTICE OF MEETINGS

- a) Meetings shall be called by the Clerk according to the schedule agreed by the Parish Council. Variation to the time and date of the meeting shall be agreed at the preceding Council meeting. The date for a meeting of Council, having been agreed by Council, shall not be changed without prior notification to and consultation with all members of Council (which may be by email) at least seven days prior to the agreed date and then subject to a majority of members, to include the Chairman, agreeing to the revised date.
- b) Notices of meeting shall be sent to members (either by hand delivery or email), giving 3 clear working days' notice, excluding the meeting day.
- c) A member of the Council may request an item be placed on an agenda of the Council or one of its Committees to the relevant chairman.

7. ORDER OF BUSINESS AT THE ANNUAL MEETING OF THE COUNCIL

In an election year councillors shall execute Declarations of Acceptance of Office in each others' presence, or in the presence of a proper officer previously authorised by the Council to take such declaration, before the annual meeting commences.

The agenda will include items as follow:

- (a) To elect a Chairman
[If the current Chairman of the Council has not been re-elected as a member of the Council, s/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.

[If the current Chairman of the Council has been re-elected as a member of the Council, s/he shall preside at the meeting until a new Chairman of the Council has been elected. S/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 equality of votes.]

- (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 which have not been received as provided by law shall be received.
- (e) To elect a Vice-Chairman.
- (f) To appoint committees.
- (g) To confirm the Clerk as the Responsible Financial Officer

And shall thereafter follow the order set out in *Standing Order 8* below.-

8. ORDER OF BUSINESS AT MEETINGS OTHER THAN THE ANNUAL MEETING

Except as provided above the order of business at every meeting of the Council shall be:

- (a) To appoint a person to chair if the Council Chairman is absent.
- (b) To enable members to declare any personal or prejudicial interest they might have in any item on the agenda.
- (c) To deal with any business expressly required by statute.
- (d) To approve as a correct record and sign the minutes of the last meeting of the Council.
- (e) To consider matters arising from the minutes.
- (f) To consider the Clerk's/Responsible Officer's Financial Report.
- (g) Public Participation, when the Chairman has opened the meeting.
- (h) To receive and approve reports/minutes and consider the recommendations of committees.
- (i) To consider motions in the order in which notice has been received.
- (j) Other business, if any, specified in the summons.

9. **VARIATION OF ORDER OF BUSINESS**

The order of business may be varied with the exception of 8(a), (b) and (c) subject to:

- (a) The Chairman at his discretion
- (b) A resolution passed on a motion (which need not be in writing) duly moved and seconded, which shall be moved and put without discussion.

10. **MOTIONS (RESOLUTIONS)**

(a) **NOTICES OF MOTION**

Notice of every motion, other than a motion which under *Standing Order 11* may be moved without notice, shall be given in writing, signed by the member or members of the Council giving the notice, and delivered 5 working days, excluding the day of the meeting, before the next meeting of the Council, at the office of the Parish Clerk. These shall be sent out with the agenda and retained at the office of the Parish Clerk and be available to each member for inspection.

(b) **MOTIONS TO BE SET OUT IN SUMMONS**

The Parish Clerk shall set out in the summons for every meeting of the Council all motions of which notice has been duly given, in the order in which they have been received, unless the member giving such a notice in writing, when giving it, advises that s/he proposes to move it at some later meeting, or has since withdrawn it in writing.

(c) **REFERRAL OF MOTIONS**

If the subject matter of a resolution comes within the province of a committee of the Council, it shall, upon being moved and seconded, stand referred to a committee as the Council may determine for report.

(d) **MOTION NOT MOVED**

If a motion set out in the summons is not moved, either by the member who gave it or by some other member on his/her behalf, it shall, unless postponed by consent of the Council, be treated as withdrawn and shall not be moved without fresh notice.

(e) **SCOPE OF MOTIONS**

Every motion shall be relevant to some matter in relation to which the Council has powers or duties or which affects the area of the Council.

(f) **RIGHT OF REPLY**

The mover of a motion shall have a right of reply immediately before the motion 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.

11. MOTIONS (RESOLUTIONS) AND AMENDMENTS WHICH MAY BE MOVED WITHOUT NOTICE

The following motions and amendments 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 committee.
- (h) To appoint a committee or any members thereof.
- (i) To adopt a report.
- (j) To amend a motion (resolution).
- (k) To give leave to withdraw a motion (resolution) or amendment.
- (l) To exclude the public (under Section 1(2) of the Public Bodies (Admission of Meetings) Act, 1960.)
- (m) To invite a member of the public to address the Council.
- (n) To suspend Standing Orders, in accordance with *Standing Order 29*.
- (o) To silence or eject from the meeting a member named for misconduct under *Standing Order 22*.
- (p) To adjourn the meeting.

12. QUESTIONS

A member of the Council may ask the Chairman of a committee any question upon an item of the report of a committee when that item is under consideration by the Council.

13. MINUTES

- (a) Minutes of the previous meeting shall be agreed at the next meeting.
- (b) The Chairman shall put the question that “the minutes of the meeting of the Council held on the ‘X’ day of ‘Y’ be approved as a correct record”.
- (c) If all members agree on the accuracy of the minutes, or as amended as agreed by the Council, then the Chairman shall sign the minutes.
- (d) Items of a confidential nature shall be agreed without the public being present, but redacted from the published minutes.

14. RESCISSION OF PRECEDING RESOLUTION

No motion to rescind any resolution passed within the preceding six months and no motion or amendment to the same effect as one which has been rejected within the preceding six months, shall be proposed unless the notice in adherence to *Standing Order 10* bears the names of at least three members of the Council or by a resolution moved from a report or recommendation of a committee. When any such motion or amendment has been disposed of by the

Council, it shall not be open to any member to propose a similar motion within a further period of six months, unless there has been material change as agreed by the Council.

15. VOTING

a) RECORDED VOTE

The method of voting at meetings of the Council shall be by show of hands; provided that at the request of two members of the Council made before the vote is taken, the voting on any question shall be by roll-call and shall be recorded so as to show how each member present voted. The name of any member present and not voting shall also be recorded.

b) INDIVIDUAL VOTE

A member may request that their individual vote be recorded by the Clerk.

c) CHAIRMAN'S CASTING VOTE

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.

16. RECORD OF ATTENDANCE

Every member of the Council attending a meeting of the Council, or of any of its committees, shall have their name recorded in the minutes.

17. CONTRACT TENDER FINANCIAL LIMITS

For contracts up to £2,000, a minimum of two quotes shall be obtained; and for contracts over £2,000, a minimum of three quotes shall be obtained, unless agreed otherwise by the Council.

18. APPOINTMENT OF COMMITTEES

The Council may at any time appoint such committees as necessary to carry out the work of the Council. No committee shall have powers to spend money unless a specific resolution to that effect has previously been passed by Full Council.

19. PROCEEDINGS OF COMMITTEES AND CONFIDENTIALITY

All agenda, reports and other documents and all proceedings of committees, and sub-committees shall be open to the public except as under *Standing Order 13(d)*.

20. CONSTITUTION OF COMMITTEES

- (a) The following committees shall be Standing Committees of the Council: Finance; and Plans Action.
- (b) Standing Committees shall be appointed at the first Full Council meeting after the Annual Parish Meeting and shall sit for one year. Each committee shall elect its own Chairman and Vice Chairman.
- (c) By prior agreement with the Full Council, membership of all Standing Committees may be augmented by co-opting Marsh Gibbon residents. Their number shall not exceed half the total membership of the committee and they shall not have voting rights.

- (d) Non councillors may be formally requested by a committee to attend a future meeting. In special circumstances the Chairman may, without prior reference to the committee, invite a non-councillor and note that invitation in the agenda. During a committee meeting, such visitors not detailed on the meeting's agenda will only be heard with the consent of a majority of councillors present.
- (e) Councillors will be nominated as representatives on the Village Hall Committee, AVALC and Waddesdon Local Area Forum.

21. STANDING ORDERS TO APPLY TO COMMITTEES

Subject to the adjudication of the Chairman of the committee the standing orders of the Council will apply to committee meetings, provided that in no case shall the quorum of a committee be less than two members.

22. CONDUCT AT MEETINGS

(a) GENERAL CONDUCT

At all Council and committee meetings, all Councillors shall refrain from profanity, and shall not smoke or consume alcohol during the meeting.

(b) DISORDERLY CONDUCT

If at a meeting any member of the Council, in the opinion of the Chairman notified to the Council, persistently disregards the ruling of the Chairman, or behaves irregularly or improperly, or offensively, or wilfully obstructs the business of the Council, the Chairman or any other member may move "That the member (named) be no longer heard" and the motion if seconded shall be put and determined without discussion.

(c) CONTINUING MISBEHAVIOUR BY A NAMED MEMBER

If the member named continues their misbehaviour, the Chairman shall either move "That the member (named) shall leave the meeting" (in which case the motion shall be put and determined without seconding or discussion) or adjourn the meeting of the Council for such period as the Chairman in his discretion shall consider expedient.

23. GENERAL DISTURBANCE

In the event of general disturbance which in the opinion of the Chairman renders the due and orderly dispatch of business impossible, the Chairman in addition to any other power vested in him may adjourn the meeting of the Council for such a period as he considers expedient.

24. ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

(a) The public shall be admitted to all meetings of the Council and its committees which may however, temporarily exclude the public 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."

(The special reasons shall be stated. If a person's advice or assistance is needed they may be invited to remain after the exclusion resolution is passed.)

- (b) The public shall be invited to participate in an item on the agenda when the Chairman declares the meeting open.
- (c) When the Chairman declares the meeting closed the public shall not interrupt proceedings unless invited to by the Chairman.

25. DISTURBANCE BY MEMBERS OF THE PUBLIC

If a member of the public interrupts the proceedings at any meeting, the Chairman shall issue a warning. If they continue the interruption, the Chairman shall order their removal from the Council meeting room. In the case of general disturbance in any part of the Council meeting room open to the public, the Chairman shall order that section to be cleared.

26. CONFIDENTIAL BUSINESS

- (a) No member of the Council or of any committee shall disclose to any person not a member of the Council any business declared to be confidential by the Council or the committee as the case may be.
- (b) Any member in breach of the provisions of *paragraph (a) of this Standing Order* shall be removed from any committee of the Council by resolution of the Council.

27. DISCUSSIONS AFFECTING EMPLOYEES OF THE COUNCIL

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 Council including the Parish Clerk, it shall not be considered until the Council has decided whether or not the public shall be excluded. (See *Standing Order No 24*.)

28. VARIATION AND REVOCATION OF STANDING ORDERS

Any motion to add to, vary or revoke these standing orders shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

29. SUSPENSION OF STANDING ORDERS

- (a) Subject to *paragraph (b) of this Standing Order*, any of the preceding standing orders may be suspended at a meeting.
- (b) A motion to suspend Standing Orders shall not be moved without notice unless at least half of the members of the Council or committee are present.

30. INTERPRETATION OF STANDING ORDERS

The ruling of the Chairman of the meeting as to the construction or application of any of these Standing Orders, or as to any proceedings of the Council or any committee thereof, shall not be challenged.

31. STANDING ORDERS TO BE GIVEN TO MEMBERS

A copy of these Standing Orders shall be given to each member by the Clerk upon delivery to her/him of the member's Declaration of Acceptance of Office.