

PREFACE

This set of Standing Orders is based on the model produced by the National Association of Local Councils in 2018.

Some of the Standing Orders are compulsory as they are laid down in Acts of Parliament. These are printed in **bold type**. Such Standing Orders cannot be altered.

These Standing Orders have annexed to them:

- (a) as Appendix A, the Code of Practice for Handling Complaints; and
- (b) as Appendix B, the Details of Public Land and Assets of Chute Parish Council.

May 2019

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Standing Orders for Chute Parish Council

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CHUTE PARISH COUNCIL

STANDING ORDERS (Adopted May 2019)

1 Meetings

- (a) Meetings of the Council shall be held in each year on such dates and times and at such place as the Council may direct (normally at 7.30 pm on the first Thursday in the relevant month in Chute Village Hall).
- (b) Smoking or vaping is not permitted at any meeting of the Council

2 The Statutory Annual Meeting

- (a) **In an election year, the Annual Parish Council Meeting shall be held on, or within the 14 days following, the day on which the councillors elected take office; and**
- (b) **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.**

3 **In addition to the Statutory Annual Parish Council Meeting, at least three other statutory meetings shall be held in each year on such dates and times and at such place as the Council may direct.**

4 Chair of the Meeting

The person presiding at a meeting may exercise all the powers and duties of the Chair in relation to the conduct of the meeting.

5 Quorum of the Council

Three members or one-third of the total membership, whichever is the greater, shall constitute a quorum at meetings of the Council.

6 If a quorum is not present or if during a meeting the number of councillors (not counting those debarred by reason of a declared interest) falls below the required quorum, the meeting shall be adjourned and business not transacted shall be transacted at the next meeting or on such other day as the Chair may fix.

7 For a quorum relating to a committee, please refer to Standing Order 34.

8 Voting

Members shall vote by a show of hands, or, if at least three members so request, by signed ballot.

9 **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.

10. (1) Subject to (2) and (3) below, the Chair may give an original vote on any matter put to the vote, and in any case of an equality of votes may give a casting vote whether or not he gave an original vote.
- (2) 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 Chair and Vice-Chair until the end of their term of office he may not give an original vote in an election for Chair.
- (3) The person presiding must give a casting vote whenever there is an equality of votes on an election for Chair.

11 Order of Business

At each Annual Parish Council Meeting the first business shall be:

- (a) to elect a Chair of the Council;
- (b) to receive the Chair's declaration of acceptance of office or, if not then received, to decide when it shall be received;
- (c) in an 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 which have not been received as provided by law shall be received;
- (e) to elect a Vice-Chair of the Council;
- (f) to appoint representatives of outside bodies including the following:
- (i) *King George's Field (KGF) Management Committee (up to 2 representatives);*
 - (ii) *Chute Village Hall (CVH) Committee;*
 - (iii) *Post of Internal Auditor;*
 - (iv) *Highways representative; and*
 - (v) *Footpaths representative;*
- and in the event that any such representatives shall vacate such office or in the event that the Council shall elect to appoint fewer than the requisite number at such meeting, replacement or additional representatives may be appointed at any other meeting in the relevant year;*
- (g) to appoint any committees and sub-committees;
- (h) to consider the payment of any subscriptions falling to be paid annually;

- (l) to inspect any deeds and trust instruments in the custody of the Council as required;
- (j) to approve the calendar of meetings until the next Annual Meeting;
- (k) to set the rate of mileage allowance in accordance with published guidelines that may be claimed by Councillors on approved Council business; and
- (l) if any amendments are proposed, to note, approve and accept Standing Orders;

and shall thereafter follow the order set out in the Standing Order 13.

12 At every meeting, other than the Annual Parish Council Meeting, the first business shall be to appoint a Chair if the Chair and Vice-Chair 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.

13 After the first business has been completed, the order of business, unless the Chair otherwise decides in accordance with Standing Order 14, shall be as follows:

- (a) to read and consider the Minutes of the previous meeting; provided that, if the meeting shall so decides, the Minutes may be taken as read;
- (b) after consideration, to approve the signature of the Minutes by the person presiding as a correct record;**
- (c) to deal with business expressly required by statute to be done;**
- (d) to dispose of business, if any, remaining from the last meeting;
- (e) to receive such communications as the person presiding may wish to lay before the Council;
- (f) to answer questions from Councillors;
- (g) to receive and consider reports and minutes of committees and from Council representatives on outside bodies;
- (h) to receive and consider other matters, resolutions or recommendations on the relevant agenda;
- (i) at any meeting at which amendments are proposed, to note, approve and accept Standing Orders; and
- (j) if necessary, to authorise the sealing of documents and the signing of orders for payment.

14 Urgent Business

Subject to statute, the order of business may be varied by the Chair on the ground of urgency or on any other grounds he or she considers fit.

15 Resolutions Moved on Notice

- (1) Except as provided by these Standing Orders, no matter or 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 (including by email) at least four clear days before the relevant meeting of the Council. The Clerk shall insert in the notice of every meeting all matters so given by notice. The Clerk shall give notice of every meeting, together with the agenda, (including by email) at least three clear days before the date of such meeting.
- (2) If a matter or resolution or recommendation specified in the notice of meeting is not moved either by the member who gave notice of it or by any other member, it shall be treated as withdrawn.

16 Resolutions Moved Without Notice

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

- (a) to appoint a Chair 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 the matter to a committee;
- (h) to appoint a committee or any members thereof;
- (l) 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 extend the time limit for speeches;

- (n) to exclude the press and public (see Standing Order 20 below);
- (o) to silence or eject from the meeting a member named for misconduct (see Standing Order 19 below);
- (p) to give the consent of the Council where such consent is required by these Standing Orders;
- (q) to suspend any Standing Order (see Standing Order 69 below); and
- (r) to adjourn the meeting.

17 Proceedings at Meetings

- (a) A matter or resolution moved at a meeting shall be discussed and considered by the members. A resolution or amendment shall not be voted upon unless it has been proposed and seconded.
- (b) The ruling of the presiding Chair as to the construction or application of any of these Standing Orders, or as to any proceedings of the Council or its committees, shall be conclusive.

18 Voting on Appointments

Where more than two persons have been nominated for a position to be filled by the 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 majority of votes is given in favour of one person.

19 Code of Conduct and Disorderly Conduct

- (a) **All members must observe the Code of Conduct (Code of Conduct) which was adopted by the Council on 28 June 2007, a copy of which is annexed to these Standing Orders (as amended from time to time).**
- (b) No member shall at a meeting persistently disregard the ruling of the Chair, wilfully obstruct business, or behave irregularly, offensively, improperly or **in such a manner as to bring the Council into disrepute.**
- (c) If, in the opinion of the Chair, a member has broken the provisions of paragraph (b) of this Standing Order, the Chair shall express that opinion to the Council and thereafter any member may move that the member named be no longer heard or that the member named shall leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion. If either of such motions is disobeyed, the Chair may adjourn the meeting or take such further steps as may reasonably be necessary to enforce them. **If a member reasonably believes another member is in breach of the Code of Conduct,**

that member is under a duty to report the breach to the Standards Board.

(d) Failure to attend meetings

Any Councillor who fails to attend any meeting of the Council, or of a committee of which he or she is a member, for six months shall be deemed to have resigned from the Council or committee unless leave of absence has been granted by the Council or committee before the expiration of such six month period.

20 Admission of the Public and Press to Meetings

The public and press shall be admitted to all meetings of the Council and its committees and sub-committees, which may, however, temporarily exclude the public and the 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 press and public be temporarily excluded and they are instructed to withdraw”.

The Council shall state the special reason for exclusion.

21 At all meetings of the Council the Chair may, at his discretion and at a convenient time in the transaction of business, allow any members of the public to address the meeting in relation to the business to be transacted at that meeting. The Chair, again at his discretion may, at any point in a Council meeting invite specific information from subject area experts attending that meeting in order better to inform the Council’s decision process.

22 The Clerk shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present. There shall be no audio or video recording or photographs of the meeting without the express approval of the Council.

23 If a member of the public interrupts the proceedings at any meeting, the Chair may, after warning, order that he be removed from the meeting and may adjourn the meeting for such period as is necessary to restore order.

24 Clerk and Responsible Financial Officer (or RFO)

Where a statute, regulation or order confers functions or duties on the proper officer of the Council, that person shall be the Clerk or nominated officer:

- (a) to receive declarations of acceptance of office;
- (b) to receive and record notices disclosing interests at meetings;
- (c) to receive and retain plans and documents;
- (d) to sign notices and documents on behalf of the Parish Council and at

the Council's direction;

- (e) to receive copies of bylaws made by another local authority;
- (f) to certify copies of bylaws made by the Council;
- (g) to sign and issue summonses to attend meetings of the Council; and
- (h) to keep proper records for all Council meetings.

25 Should the need arise to appoint a new Clerk the process of application must be determined by the Council.

26 Each year that the Clerk is in employment the Chair shall conduct a performance review with the Clerk at which each party may freely and without prejudice express their views and opinions on performance and make recommendations for improvements both in performance and procedures. The record of such performance reviews shall be agreed and signed by each party but will not be made available either to other Councillors or members of the public.

27 In every year, not later than the meeting at which the estimates for the precept for next year are settled, the Council shall review the pay and conditions of service of existing employees. Standing Order 28 must be read in conjunction with this requirement.

28 Discussions and Resolutions Affecting Employees of the Council

If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or condition of service of any person employed by the Council, it shall not be considered until the Council or committee (as the case may be) has decided, for reasons of confidentiality or other special reasons, whether or not the public shall be excluded (see Standing Order 20).

29 Sealing of Documents

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

30 Committees

The Council at its Annual Meeting may appoint standing committees and at any other time appoint such other committees as are necessary, but subject to any statutory provision that may apply:

- (a) shall not appoint any member of a committee so as to hold office later than the next Annual Meeting of the Council;

- (b) may appoint persons other than members of the Council to any committee; and
 - (c) may at any time dissolve or alter the membership of a committee.
- 31 The Chair and Vice-Chair, ex officio, shall be voting members of every committee.
- 32 Every committee shall at its first meeting before proceeding to any other business, elect a Chair and may elect a Vice-Chair who shall hold office until the next Annual Meeting of the Council, and shall settle its programme of meetings for the year.
33. The Chair of a committee or the Chair of the Council may summon an additional meeting of that committee at any time. A special meeting shall also be summoned on the requisition in writing of not less than a quarter of members of that 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.
- 34 Except where ordered by the Council, the quorum of a committee shall be one-half of its members. The Standing Orders on rules of debate and on interests of members in contracts and other matters shall apply to committee meetings.
35. Members of committees and sub-committees entitled to vote, shall vote by a show of hands, or, if at least two members so request, by signed ballot.
- 36 Chairmen of committees and sub-committees shall in the case of equality of votes have a second or casting vote.**
- 37 Interests**
- If a member has any personal interest as defined by the Code of Conduct, then he or she shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required.**
- 38 If a member who has declared a personal interest then considers the interest to be prejudicial, he or she must withdraw from the room or chamber during consideration of the item to which the interest relates.**
- 39 The Clerk will be required to compile and hold a register of member's interests in accordance with the agreement reached with the Monitoring Officer of the Responsible Authority and/or as required by statute.**
- 40 Availability and Inspection of Minutes and Other Documents
- A member of the Council may for the purposes of his or her duty as such (but not otherwise), inspect any document in possession of the Council or a committee, and if copies are available shall, on request, be supplied for the

like purpose with a copy. The Council will be bound by the Freedom of Information Act together with the safeguards therein. The Clerk will refer requests from any member of the public for sight of any document that may be deemed to be excluded under the terms of such Act to the Chair who will jointly with the Clerk obtain formal legal guidance on the admissibility of any such request.

41 Draft minutes of all formal meetings of the Council or any committee will be published promptly after they have been approved in accordance with Standing Order 13. **All minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council.**

42 In the event that any member is appointed to an outside body as a representative of the Council (including KGF and CVH), he or she shall report to the Council in respect of the proceedings of such body at Council meetings and shall provide to the Council the minutes and accounts of such body provided to him or her.

43 Confidential Business

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.

44 Liaison with County and Borough Councillors

An Agenda for each meeting and the minutes of the previous meeting shall be sent together with an invitation to attend to the County and Borough Councillors for the appropriate ward.

45 Unless the Council otherwise orders, a copy of each letter ordered to be sent to the County or Borough Council shall be transmitted to the County Councillor for the division or to the Borough Councillor for the ward as the case may require.

46 Planning Applications

The Clerk shall, as soon as it is received, enter in a book or record kept for the purpose the following particulars of every planning application notified to the Council:

- (a) the date on which it was received
- (b) the name of the applicant
- (c) the place to which it relates

47 The Clerk shall refer (including by email) every planning application received to the Chair and to the other members of the Council within 48 hours of receipt.

48 Financial Regulations and Procurement

The Council shall consider and approve Financial Regulations drawn up by the Responsible Financial Officer.

- (1) 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 Council;
 - (c) the work of the Internal Auditor and the receipt of reports from the Internal Auditor which shall be required at least annually; and
 - (d) the financial reporting requirements of members and local electors.
- (2) The Financial Regulations of the Council shall be subject to regular review, at least once every four years.
- (3) Any proposed contract for the supply of goods, materials, services and/or the execution of works shall be procured on the basis of (to the extent reasonably practicable) at least two quotes for the relevant matter. The Council or any committee is not bound to accept the lowest tender, estimate or quote, but will be guided by "best value" considerations.

49 The members of the Council shall be presented by the RFO with, prior to 30 June each year, and shall approve the detailed Governance Statement which forms Section 2 of their Annual (Audit) Return to the external auditor.

50 Financial Control and Management

The Precept (funding) required for the following year is to be approved annually - normally at the November Meeting. A budget is to be presented to the Council by the RFO as the basis for this action.

51 Accounts: the RFO shall present the Accounts of the Parish Council, supported by Section 1 (Statement of Accounts) and Section 4 (Annual Internal Audit Report – fully agreed) of the Annual (Audit) Return, for their approval before end of June each year.

52 Control and Risk Management: periodically, the RFO is to present to the Council a forecast of the budget for the Financial Year. The first such forecast will be made early in the year - normally in June - and is to include a risk management assessment. This is to be used by members to review the Council's financial position and to enable the Council to ensure that funds and commitments are properly managed.

53 All proposed expenditure must lie within the powers of the Council. The Council must take particular care to ensure s137 Local Government Act 1972 expenditure is declared and kept within permissible limits.

54 **All payments are to be made by cheque or other orders for the payment of money require signature by two members, and are to be authorized by resolution of the Council.** Emergency items up to £100 may be paid by the Responsible Finance Officer in advance of a meeting and formally minuted at the next meeting.

55 Insurance: as part of the Council's management of financial risk, the Council should hold an insurance policy each year which should be reviewed for its adequacy of cover.

56 Parish Council Accounts

A competent Internal Auditor independent of the Parish Council shall be appointed and he or she shall undertake the actions necessary to enable him or her to render a satisfactory report in the form of Section 4 of the Annual (Audit) Return to the Parish Council and the External Auditor.

57 Members are to take steps in co-operation with the Internal Auditor so that they are in a position to approve the Statement of Assurance in the form of Section 2 of the Annual Return to the External Auditor.

58 Certain Statutory and Regulatory Matters

Members are to pay due regard to the promotion of equality under the three headings of race, gender and disability. In practice, this means that members are to be clear about what the significant issues are for these 'equalities' in relation to the business of, and services provided by, the Council.

59 Members are to observe the general duty placed on Parish Councils by the Race Relations Act 1976 as amended by the Race Relations (Amendment) Act 2000: specifically, to ensure that, in everything it does, the Council has due regard to the need to eliminate unlawful racial discrimination, promote equality of opportunity and promote good race relations between people of different racial groups.

60 In accordance with Section 17 of the Crime and Disorder Act 1998, without prejudice to any other obligation imposed on it, it is the duty of the Council to exercise its functions with due regard to their effect on, and the need to do all that it can to prevent, crime and disorder in the Parish.

61 In all instances where a decision may have crime and disorder implications, this will be recorded in the minutes of the meeting and, taking advice as necessary through the Community Safety Partnership, the Council will record any such implications and the actions taken to resolve them.

62 In accordance with the Freedom of Information Act 2000 (FIA) (and the Freedom of Information Act: Model Publication Scheme: V1.0 April 2008), the Council has produced and published a 'Guide to Proactively Published Information' – on Notice Board display and on the Council web-site. The scope of this guide and the data on the website is to be kept under review.

- 63 Subject to Section 36 of the FIA, each person's general legal right is recognised to be provided, on written request, with any information held by the Council. The Clerk will hold available copies of the General Information Note provided by the PUS/ODPM (January 2005) and of the WALC Legal Update (County Circular No.02/05) as source documents on the subject.
- 64 Section 36 of the FIA provides for certain information to be exempt. Such exemption will only apply if the reasonable opinion of a 'qualified person' is that disclosure would have certain prescribed effects. As authorised by the appropriate Minister, the Clerk is to be the 'primary qualified person': The Chair is to be the 'secondary qualified person'. In practice, the Clerk will advise members of any requests for information and, particularly, if he or she intends to deny access to information.
- 65 The statutory purpose of National Parks and Areas of Outstanding Natural Beauty (AONB) is to conserve and enhance the natural beauty of their area. In March 2005, DEFRA published a Guidance Note (Product code PB 10747) drawing attention to the 'statutory duty' of (inter alia) Parish Councils to have regard to this purpose and setting out the nature of this duty. The Council accepts and welcomes this duty and will seek ways of advancing the stated purposes of - in its case - North Wessex AONB.
66. The Council shall publish information in accordance with the requirements of the Smaller Authorities (Transparency Requirements) (England) Regulations 2015, including details of Public Land and Building Assets (See Appendix B of these Standing Orders).
- 67 Code of Practice for Handling Complaints
- In accordance with the recommendation of the National Association of Local Councils, issued in their Circular 2/86 (reissued 1995), the Council has adopted the standard and formal procedure for considering complaints published in that circular. This Code of Practice is at Appendix A to these Standing Orders.
- 68 Standing Orders
- A copy of these Standing Orders shall be given to each member by the Clerk upon delivery to him or her of the member's declaration of acceptance of office.
- 69 Any or every part of these Standing Orders except those printed in **bold type** may be suspended by resolution in relation to any specific item of business (see Standing Order 16(q)) and these Standing Orders may be varied or amended by resolution (including under Standing Orders 11(l) and 13(i)) of which notice has been given in accordance with these Standing Orders (see Standing Order 15).

APPENDIX A

CODE OF PRACTICE FOR HANDLING COMPLAINTS

1. If a complaint about procedures or administration is notified orally to a councillor or the clerk and they cannot satisfy the complainant fully forthwith the complainant shall be asked to put the complaint in writing to the Clerk and be assured that it will be dealt with promptly after receipt.
2. If a complainant prefers not to put the complaint to the Clerk he or she shall be advised to put it to the Chair.
3. (a) On receipt of a written complaint the Clerk or Chair, as the case may be, shall (except where the complaint is about his or her own actions) try to settle the complaint directly with the complainant but shall not do so in respect of a complaint about the behaviour of the Clerk or a councillor without first notifying the person complained of and giving an opportunity for comment on the manner in which it is intended to attempt to settle the complaint.

(b) Where the clerk or chair receives a written complaint about his or her own actions he or she shall forthwith refer the complaint to the Council.
4. The Clerk or Chair shall report to the next meeting of the Council any written complaint disposed of by direct action with the complainant.
5. The clerk or Chair shall bring any written complaint which has not been settled to the next meeting of the Council and the Clerk shall notify the complainant of the date on which the complaint will be considered, and the complainant shall be offered an opportunity to explain the complaint orally.
6. The Council shall consider whether the circumstances attending any complaint warrant the matter being discussed in the absence of the press and public but any decision on a complaint shall be announced at the Council meeting in public.
7. As soon as may be after the decision has been made it and the nature of any action to be taken shall be communicated in writing to the complainant.
8. A Council shall defer dealing with any written complaint *only* if it is of the opinion that issues of law or practice arise on which advice is necessary from the Association of Local Councils. The complaint shall be dealt with at the next meeting after the advice has been received.

APPENDIX B

DETAILS OF PUBLIC LAND AND BUILDING ASSETS

CHUTE PARISH COUNCIL REGISTER OF LAND OWNERSHIP

**December 6th 1950 Title No P181111 King George's Field, Hatchet Hill,
Lower Chute SP11 9DU**

Price Paid £110.00

Joint ownership with Chute Forest Parish Council

Five acres of amenity and recreational land for the use of Chute residents, cricket and football clubs.

The field to be preserved in perpetuity as a memorial to his late Majesty King George V under the style of "King George's Field".

**June 25th 1976 Register Unit No VG32 from the Office of the
Commons Commissioners**

Upper Chute - the village green and village well area;

Chute Standen - Old Village Hall green;

Lower Chute - Cadley green and pond.

All of the above being amenity land for the use of Chute residents.

Title no WT139389 HM Land Registry Weymouth Office

Land lying to the East of Forest Lane Upper Chute known as Chute Allotments