

Shipton Parish Council

Standing Orders

Meetings of full councillors, the Responsible Financial Officer (CLERK) are subject to many statutory requirements.

Parish councils have standing orders to guide them in meeting their statutory requirements. A council has standing orders to control the number of meetings, place, format and required quorum, notices, resolution procedures and other activities such as agendas and minutes.

1) MEETING FORMATS & RULES:

- a) 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.
- b) The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice. (designated an emergency meeting)
- 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) Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda, **only** if invited to do so by the Chair.
- e) The period of time designated for public participation at a meeting in accordance shall not exceed 15 minutes unless directed by the Chair of the meeting.
- f) A member of the public shall not speak for more than 3 minutes.
- g) A question shall not require a response at the meeting nor start a debate on the question. The Chair of the meeting may direct that a written or oral response be given.
- h) A person who speaks at a meeting shall direct his comments to the Chair of the meeting.
- i) Only one person is permitted to speak at a time. If more than one person wants to speak, the Chair of the meeting shall direct the order of speaking and duration.
- j) Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair of the Council may in

their absence be done by, to or before the Vice-Chair of the Council.

- k) The Chair, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair, if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.
- l) Subject to a meeting being quorate, (3 voting councillors) all questions at a meeting shall be decided by a majority of the councillors or councillors with voting rights present and voting.
- m) The Chair of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise their casting vote whether or not they gave an original vote.

2. Rules of debate & voting at meetings

- a) The Chair will normally open the meeting, and then progress to motions on the agenda which shall be considered individually and in the order that they appear unless the order is changed at the discretion of the Chair of the meeting.
- b) A motion (including an amendment) shall not be progressed unless it has been moved by the Chair and seconded.
- c) To avoid people talking over one another, during the debate of a motion, a councillor or others may interrupt only through the Chair when invited to do so.
- d) The Chair is responsible for managing the debate on the motion including taking input from the public if the Chair considers it to be and helpful to the debate.
- e) Councillors and members of the public can enter the debate **only** when invited to do so by the Chair.
- f) The chair will propose the agenda topic/motion and invite relevant councillors/RFO to speak to the motion, prior to asking councillors to vote on the topic including any amendments.
In the event of a vote tie the Chair has a second casting vote which they can deploy if needed.
- g) If the motion is carried by councillors resolution (vote) it will be recorded by the clerk and inserted into the minutes.
- h) The Chair has the responsibility to manage the meeting and ensure the agenda is covered with fair debate and correct councillor voting.
If any person present is disruptive and does not speak through the Chair, the Chair has the authority to ask them to leave the meeting. (see item (2) disorderly conduct)

- i) Council members should abide by the Council's Code of Conduct
- j) A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.
Members who declare a pecuniary interest should leave the room whilst the item is being considered. (If such an action would cause the meeting to fall below quorum that item must be deferred to a later meeting when quorum can be maintained while the particular councillor has withdrawn during the discussion and voting.)
- k) No business may be transacted at a meeting unless at least three members of the council are present and in no case shall the quorum of a meeting be less than three.
- l) If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.

3. Disorderly conduct at meetings

- a) No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- b) If person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- c) If a resolution made under standing order 3(b) above is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

4) The minutes of a meeting

Minutes shall be taken by the Clerk and include an accurate record of the following, and will be once agreed by councillors be circulated as draft minutes until such time as they can be approved at the following public meeting by a resolution of councillors.

- i. the time and place of the meeting;
- ii. the names of councillors present and absent & any apologies received.
- iii. interests that have been declared by councillors and non-councillors with voting rights;
- iv. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
- v. if there was a public participation in the session.

vi. the resolutions made.

Minutes of the previous meeting will have been circulated to councillors and the public in advance (at least 1 week prior to the public meeting)

The voting of acceptance by councillors and signing of the minutes of the previous meeting, will be managed by the Chair as the first order of business. (at this point the previous meeting's draft minutes become the approved minutes and are signed by the Chair.

- a) The draft minutes from the previous meeting will have been circulated to councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b) There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy/typos.
A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order.
- c) The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.

5. Ordinary/Annual 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, which will normally be followed by an ordinary meeting on the same evening and at least three further ordinary meetings in next 12 months on such dates and times as the council directs.
- e) The first business conducted at the May annual meeting of the council shall be the election of the Chair and Vice-Chair (if any) of the Council.
- f) The Chair of the Council, unless they have resigned or becomes disqualified, shall continue in office and preside at the annual meeting until they are re-elected or their successor is elected at the next annual meeting of the council.
ie: The year should contain one annual meeting and 4 ordinary meetings.

6. Extraordinary meetings of the council

- a) The Chair of the Council may convene an extraordinary meeting of the council at any time.

- b) If the Chair 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.

7. Voting on appointments

- a) Where more than two persons have been nominated for a position to be filled by the council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the chairman of the meeting.

8. Motions for a meeting that require written notice to be given to the Proper Officer (The Clerk)

- a) A motion shall relate to the responsibilities of the meeting which it is tabled for and in any event shall relate to the performance of the council's statutory functions, powers and obligations or an issue which specifically affects the council's area or its residents.
- b) No motion may be moved at a meeting unless it is on the agenda and the mover has given notice of its wording to the Proper Officer at least seven clear days before the meeting.
- c) The Proper Officer (Clerk) may, before including a motion on the agenda received in accordance with standing order 8(b) above, correct obvious grammatical or typographical errors in the wording of the motion. If the Proper Officer considers the wording of a motion received in accordance with standing order 8(b) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer so that it can be understood at least seven clear days before the meeting.
- d) If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chairman of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- e) Subject to standing order 8(d) above, the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.

9. Motions at a meeting that do not require written notice

The following motions may be moved at a meeting without written notice to the Proper Officer (The Clerk)

- i. to correct an inaccuracy in the draft minutes of a meeting;
- ii. to move to a vote;
- iii. to defer consideration of a motion;

- iv. to refer a motion to a particular committee;
- v. to appoint a person to preside at a meeting;
- vi. to change the order of business on the agenda;
- vii. to proceed to the next business on the agenda;
- viii. to require a written report;
- ix. to appoint a committee and their members;
- x. to extend the time limits for speaking;
- xi. to exclude the press and public from a meeting in respect of confidential or sensitive information which is prejudicial to the public interest;
- xii. to not hear further from a councillor or a member of the public;
- xiii. to exclude a councillor or member of the public for disorderly conduct;
- xiv. to temporarily suspend the meeting;
- xv. to suspend a particular standing order (unless it reflects mandatory statutory requirements);
- xvi. to adjourn the meeting; or
- xvii. to close a meeting.

10. Accounts and accounting statements

- a) "Proper practices" in standing orders refer to the most recent version of [Governance and Accountability for Local Councils – a Practitioners' Guide.
- b) All payments by the council shall be authorised, approved and paid in accordance with the law, proper practices and the council's financial regulations.
- c) The Responsible Financial Officer shall supply to each councillor a financial report at every ordinary council meeting.
- d) As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:

- i. each councillor with a statement summarising the council's receipts and payments.
- ii. to the full council the accounting statements for the year in the form of Section 1 of the annual return, as required by proper practices, for consideration and approval.

e) The year end accounting statements shall be prepared in accordance with proper practices and applying the form of accounts determined by the council (receipts and payments, or income and expenditure) for a year to 31 March.

A completed draft annual return shall be presented to each councillor before the end of the following month of May. The annual return of the council, which is subject to external audit, including the annual governance statement, shall be presented to council for consideration and formal approval before 30 June.

11. Financial controls and procurement

- a) The council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, (Clerk) which shall include detailed arrangements in respect of the following:
 - i. the keeping of accounting records and systems of internal controls;
 - ii. the assessment and management of financial risks faced by the council;

- iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
 - iv. the inspection and copying by councillors and local electors of the council's accounts and/or orders of payments; and
 - v. procurement policies (subject to standing order 11(c) below) including the setting of values for different procedures where a contract has an estimated value of less than £60,000.
- b) Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c) Financial regulations shall confirm that a proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £60,000 shall be procured on the basis of a formal tender as summarised in standing order 11(d) below.
- d) Subject to additional requirements in the financial regulations of the council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
- i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. an invitation to tender shall be drawn up to confirm (i) the council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
 - iii. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer (Clerk)
 - iv. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
 - v. tenders are to be reported to and considered by the appropriate meeting of the council or a committee with delegated responsibility
- e) Neither the council, nor a committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender

12. Handling staff matters

- a) The Chairman of Council shall be the line manager for The Clerk and will be responsible for reviewing the performance and annual appraisal of the work of the Clerk.
- b) Any persons responsible for all or part of the management of staff shall treat the written records of all meetings relating to their performance, capabilities, salary grievance or disciplinary matters as confidential and secure.
- c) The council shall keep all written records relating to employees secure. All paper records shall be secured and locked and electronic records shall be password

protected and encrypted.

- d) Only persons with line management responsibilities shall have access to staff records referred to in standing orders.

13. Requests for information

Requests for information held by the council shall be handled in accordance with the council's policy in respect of handling requests under the Freedom of Information Act 2000 and the Data Protection Act 1998 and will normally be managed by the Clerk and the Chair in tandem.

14. Execution and sealing of legal deeds

- a) A legal deed shall not be executed on behalf of the council unless authorised by a resolution.
- b) Subject to standing order 14(a) above, the council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of two councillors who shall sign the deed as witnesses.] The above is applicable to a council with a common seal.

OR

[Subject to standing order 14(a) above, any two councillors may sign, on behalf of the council, any deed required by law and the Proper Officer shall witness their signatures.] The above is applicable to a council without a common seal.

15. Communicating with District and County or Unitary councillors

- a) An invitation to attend a meeting of the council shall be sent, together with the agenda, to the ward councillor(s) of the [(England) [District and County Council] OR [Unitary Council]] [(Wales) [County Borough] OR [County Council]] representing the area of the council.
- b) Unless the council determines otherwise, a copy of each letter sent to the [(England) [District and County Council] OR [Unitary Council]] [(Wales) [County Borough] OR [County Council]] shall be sent to the ward councillor(s) representing the area of the council.

16. Restrictions on councillor activities

Unless authorised by a resolution, no councillor shall:

- i. inspect any land and/or premises which the council has a right or duty to inspect; or
- ii. issue orders, instructions or directions.

17. Standing orders generally

- a) All or part of a standing order, except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to the consideration of an

item on the agenda for a meeting.

- b) A motion to add to or vary or revoke one or more of the council's standing orders, except one that incorporates mandatory statutory requirements, shall be proposed by a special motion, the written notice by at least (3) councillors to be given to the Proper Officer
- c) The Proper Officer (Clerk) shall provide a copy of the council's standing orders to a councillor as soon as possible after he has delivered his acceptance of office form.
- d) The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.

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Reviewed and agreed at the meeting dated 12/3/24

Signed David Hollens Chair

To be reviewed April 2027