

# Clipston Parish Council

## Standing Orders

### 1. Meetings

- a) Meetings shall not take place in premises, which at the time of the meeting, are used for the supply of alcohol unless no other premises are available free of charge or at a reasonable cost.
- b) When calculating the 3 clear days for notice of a meeting to councillors and the public, 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 a bank holiday or a day appointed for public thanksgiving or mourning shall not count.
- 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) Subject to standing order 1(c) above, members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included in the agenda at the discretion of the chairman.
- e) The period of time which is designated for public participation, which is at the chairman's discretion, shall not exceed thirty minutes in total
- ei) In accordance with standing order 1 (d) above, a question asked by a member of the public during a public participation session at a meeting shall not require a response or debate.
- eii) A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- f) Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is permitted without the council's written consent.
- g) In accordance with standing order 1(c) above the press shall be provided reasonable facilities for the taking of their report of all or part of the meeting at which they are entitled to be present.
- h) Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the chairman may in his absence be done by, to or before the vice chairman.
- i) The chairman, if present, shall preside at a meeting. If the chairman is absent from a meeting, the vice chairman, shall preside. If both the chairman and the vice chairman are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.
- j) Subject to model order 1(q) below, all questions at a meeting shall be decided by a majority of the councillors present by voting thereon.
- k) 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.
- l) Unless standing orders provide otherwise, voting on any question shall be by the show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his vote for or against that question.
- m) The minutes of a meeting shall record the names of councillors present and absent.
- n) The code of conduct adopted by the council shall apply to all councillors in respect of the entire meeting.
- o) An interest arising from the code of conduct adopted by the council, the existence and nature of which is required to be disclosed by a councillor at a meeting shall be recorded in the minutes.

- p) No business may be transacted at a meeting unless at least one third of the whole number of members of the council are present and in no case shall a quorum of a meeting be less than 3.
- q) If a meeting is or becomes inquorate no business shall be transacted.
- r) Meetings shall not exceed a period of two hours

## 2. Ordinary Council Meetings

Council meetings shall be on the first Wednesday of every month at 7.30pm. The council may agree to amend this timetable of meetings during the year, interim meetings maybe required.

- 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 the council shall be held on such day as the council direct.
- c) If no other time is fixed, the annual meeting shall take place at 6pm.
- d) In addition to the annual meeting of the council, at least three ordinary meetings shall be held in each year on such dates and times as the council directs.
- e) The election of the chairman and vice chairman of the council shall be the first business completed at the annual meeting of the council.
- f) The chairman of the council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the council.
- g) The vice chairman of the council, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the chairman of the council at the next annual meeting of the council.
- h) In an election year, if the current chairman of the council has not been elected as a member of the council, 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 election of the new chairman of the council but must give a casting vote in the case of an equality of votes.
- l) In an election year, if the current chairman of the council has been re-elected as a member of the council, he shall preside at the meeting until a new chairman of the council has been elected. 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 an equality of votes.
- k) Following the election of the chairman and vice chairman of the council at the annual meeting of the council, the order of business shall be as follows:-
  - i) In an election year, delivery of councillors of their declarations of acceptance of office.
  - ii) Confirmation and accuracy of the minutes of the last meeting of the council.
  - iii) Review of delegation arrangements and nominations to committees.
  - iv) Review insurance and assets.
  - v) Review standing orders and financial regulations.
  - vi) Establishing or reviewing the Council's policy for dealing with the press/media.

## 3. Proper Officer

The council's proper officer shall do the following:-

- a) Sign and serve on councillors by delivery or post at their residences a summons confirming the time date, venue and agenda of a meeting of the council at least 3 clear days before the meeting or electronically serve on councillors a summons confirming the time, date, venue and agenda

of a meeting of the council at least 3 clear days before the meeting provided any such email contains the electronic signature and title of the proper officer.

- b) Give public notice of time, date, venue and agenda at least 3 clear days before a meeting of the council.
- c) Convene a meeting of full council for the election of a new chairman of the Council, occasioned by a causal vacancy in his office, in accordance with standing Orders 3a) and 3b) above.
- d) Receive and retain copies of byelaws made by other local authorities.
- e) Receive and maintain declarations of acceptance of office from councillors.
- f) Keep proper records required before and after meetings.
- g) Manage the organisation, storage of and access to information held by the Council in electronic form and paper form where applicable.
- h) Arrange for legal deeds and other legal documents to be signed by 2 councillors and witnessed (where this has previously been authorised by resolution).
- i) Arrange for the prompt authorisation, approval and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations.
- j) Record every planning application notified to the Council and the Council's response to the local planning authority.

#### **4. Code of Conduct**

- a) All councillors shall observe the code of conduct adopted by the council.
- b) In accordance with NCALC Model Code of Conduct para.12 (Declaration of interests at meetings) councillors may exercise the rights contained in standing order 4c) only if members of the public are permitted to make representations, answer questions and give evidence relating to the business being transacted.
- c) Councillors with a prejudicial interest in relation to any item of business being transacted at a meeting may:-
  - (i) make representations
  - (ii) answer questions
  - (iii) give evidence relating to the business being transactedbut must thereafter, leave the room or chamber.
- d) Whether the interest is entered in the council's register of members' interests or not, they must not, unless they have obtained a dispensation from the councillors:-
  - (i) participate, or participate further, in any discussion of the matter at the meeting - apart from making representations, giving evidence or answering questions, prior to the commencement of the debate on that matter, in accordance with other procedure rules;or
  - (ii) remain in the meeting room whilst the matter is being debated or participate in any vote taken on the matter at the meeting.

#### **5. Expenditure**

- a) The council's financial regulations shall be reviewed once a year.
- b) The council's financial regulations may make provision for the authorisation of the payment of money in exercise of any of the council's functions to be delegated to a committee, sub-committee or to an employee.

#### **6. Execution and sealing of legal deeds**

- a) A legal deed shall not be executed on behalf of the council unless the same has been authorised by a resolution.

- b) In accordance with a resolution made under standing order (a) above any two members of the council, may sign, on behalf of the council, any deed by law and the proper officer shall witness their signatures.

## **7. Accounts and Financial Statement**

- a) Payment of all accounts (except bank charges) shall be authorised by the council, cheques shall be signed by two councillors and the clerk.
- b) The responsible financial officer shall supply to each councillor as soon as practicable after the 31<sup>st</sup> March, 30<sup>th</sup> June, 30<sup>th</sup> September, 31<sup>st</sup> December in each year a statement summarising the council's receipts and payments for each quarter and the balances held at the end of a quarter. A financial statement prepared on the appropriate accounting basis (receipts and payments, or income and expenditure) for a year to 31<sup>st</sup> March shall be presented to each councillor before the end of the following month of May. The statement of accounts of the council (which is subject to external audit), including the annual governance statement, shall be presented to the council for formal approval before 30<sup>th</sup> June.

## **8. Extraordinary meetings**

- a) The chairman of the council may convene an extraordinary meeting of the council at any time.
- b) If the chairman does not or refuses to call an extraordinary meeting of the council within seven days of having been requested to do so by two councillors, those two councillors may convene an extraordinary meeting of the council. The statutory public notice giving time, date, venue and agenda for such a meeting must be signed by the two councillors.

## **9. Financial Matters**

- a) Where it is intended to enter into a contract exceeding £3,000 but not exceeding £20,000 in value, the clerk shall give at least 2 weeks notice of this intention on the Parish notice board and shall make every effort to obtain at least three quotations for work, service or goods. The council is not bound to accept the lowest quotation.
- b) Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in the excess of £20,000 shall be procured on a basis of a formal tender as summarised in standing order below:-

Any formal tender process shall comprise the following steps:-

- (i) a public notice of intention to place a contract to be placed in a local newspaper.
  - (ii) a specification of the goods, materials, services and the execution of works shall be drawn up.
  - (iii) tenders are to be sent, in a sealed envelope, to the proper officer by stated time and date and marked tender in top left hand corner.
  - (iv) tenders submitted are to be opened, after the stated closing date and time by the proper officer and at least two councillors.
  - (v) tenders are to be assessed and reported to the appropriate meeting of the council. The council is not bound to accept the lowest tender, estimate or quote.
- c) Where the value of the contract is likely to exceed £138,893 (or other threshold specified by the office of government commerce from time to time) the council must consider whether Public Contracts Regulations 2006 (SI No.5 as amended) and the Utilities Contracts Regulations 2006 (SI No.6 as amended) apply to the contract and, if either of those Regulations apply, the council must comply with EU procurements rules.

## **10. Standing Orders**

- a) Any or every part of the standing orders, except those which are mandatory by law, may be

suspended by resolution in relation to any specific Item of business.

- b) A motion to permanently add to or to vary or to revoke one or more of the Council's standing orders not mandatory by law shall not be carried unless two-thirds of the councillors at a meeting of the council vote in favour of the same.
- c) The proper officer shall provide a copy of the council's standing orders to a councillor upon delivery of his declaration of acceptance of office.
- d) The chairman's decision as to the application of standing orders at meetings shall be final.
- e) A councillor's failure to observe standing orders more than 3 times in one meeting may result in him being excluded from the meeting in accordance with standing orders.