

IRNHAM  
Parish Council

# Standing Orders

August 2015

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# **Personnel**

## **Chairman and Vice-Chairman**

1. The Chairman and Vice-Chairman of the Parish Council must be elected each year at the Annual General Meeting. (Note that 'Chairman' and 'Vice-Chairman' are treated in this document as non-gender terms and could apply to a man or woman.)
2. In the absence of the Chairman at a Council Meeting, the Vice-Chairman must take the chair. If both are absent, a Chairman should be elected from and by the Councillors present. The minutes should record the selection of Chair.
3. The Chairman's role is to guide the meeting utilising the Standing Orders, with advice from the Clerk.
4. The Chairman cannot override the wishes of other Councillors except on a point of procedure following advice from the Clerk.
- 4a. The person presiding at a meeting, may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.

## **Proper Officer/Clerk**

5. The Clerk is the Council's Proper Officer.
6. The Clerk's role is to advise, administrate and implement decisions of the Parish Council.  
The Proper Officer shall do the following:-
  - 6a. Serve on Councillors a summons confirming the time, date, venue and the agenda of a meeting of the Council at least 3 clear days before the meeting.
  - 6b. Give public notice of the time, date, venue and agenda at least 3 clear days before a meeting of the Council.
  - 6c. Convene a meeting of the full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office, in accordance with standing order 1 above.
  - 6d. Receive and retain copies of byelaws made by other local authorities.
  - 6e. Receive and retain declarations of acceptance of office from Councillors, and their Register of Interest, which are available for inspection.
  - 6f. The Clerk shall make available for inspection the minutes of meetings.
  - 6g. The Clerk shall receive and send general correspondence and notices on behalf of the Council. Councillors must not send any correspondence themselves, except where there is a resolution to the contrary. All correspondence must be forwarded to the Clerk's office for a response.

6h. The Clerk shall action or undertake any activity or responsibility instructed by resolution or contained within the standing orders.

## **Responsible Financial Officer (RFO)**

7. The Clerk is the Council's Responsible Financial Officer.

8. The Clerk's financial role is all matters to do with the accounts. All references to our Financial Regulations.

## **Parish Councillors**

9. Parish Councillors are elected for four years unless they resign, die or are disqualified within that period.

10. Parish Councillors are obliged to:

- attend meetings when summoned
- prepare for meetings by studying the Agenda
- take an active part in the Council's work and meetings
- ensure the Council is well managed
- represent electors' views
- attend at least 4 meetings per year
- all Councillors will receive a new model Code of Conduct for them to sign and adhere to
- all Councillors will receive a copy of the Standing orders
- all Councillors keep in regular contact with the Clerk via email or telephone and reply to his consultations.
- Appointments to see the clerk must be made in advance except for the Chairman and Vice Chairman.

## **Employees**

11. All employees should have a contract of employment incorporating terms and conditions.

12. A review of pay and conditions should take place every year.

13. All employees should have full protection of current employment law as applicable.

14. If, at a meeting, any question arises relating to the appointment, conduct, promotion, dismissal, salary or conditions of service of anyone employed by the Council, it should not be debated until the Council or Committee (as appropriate) has decided whether or not the public should be excluded.

15. Appraisals should be carried out annually on all employees at the Council Offices by the Chairman and Proper Officer. The Chairman and Vice Chairman will carry out the Proper Officer's appraisal at the Parish Council Office.

## **Auditors**

16. The Council should appoint an Internal Auditor to audit the accounts each year the Audit Commission appoints the External Auditor. See Financial Regulations.

## **The Public and Press**

17. The public and the press may attend meetings of the Council. However, they may be excluded where sensitive, legal, contractual or personnel matters are being discussed.

A Resolution to exclude the public and press during a meeting should state:

'In view of the 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'.

## **Meetings**

### **Ordinary Meetings of the Parish Council**

19. Ordinary Meetings usually begin at 7.00pm unless varied by the Chairman and Clerk to a different time.
20. The Council should aim to conclude business in two and half hours as attention generally begins to wane after this time.
  - 20a. Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's prior (written) consent.
  - 20b. 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.
  - 20c. In accordance with Standing Order 17 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.
  - 20d. The Code of Conduct adopted by the Council shall apply to Councillors in respect of the entire meeting.
  - 20e. 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.

- 20f. Subject to Standing Order 20b 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 during the public participation session.
- 20g. The period of time designated for public participation will normally not exceed 5 minutes, although is at the Chairman's discretion.
- 20h. Subject to standing order 20g above, each member of the public is entitled to speak only once in respect of business itemised on the agenda and shall not speak for more than 2 minutes.
- 20i. In accordance with Standing Order 20f, a question asked by a member of the public during the public participation session shall not require a response or debate. However, the Chairman may direct that a response to a question posed by a member of the public be referred to a Councillor for an oral response or to the clerk for a written or oral response.
- 20j. Any person speaking at a meeting shall address his/her comments to the Chairman.
- 20k. Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chairman shall direct the order of speaking.

## **Annual General Meeting (AGM)**

21. The Parish Council's Annual General Meeting must be held in May each year. The current Chairman should chair it, or Vice-Chairman if the Chairman is absent, until a new Chairman is elected. If both are absent, a Chairman should be nominated and elected from and by the Councillors present.
22. The new Chairman should be nominated and then voted on; the same for the Vice-Chairman. Chairman and Vice-Chairman may vote for themselves. (For other AGM matters, see 'AGM Agenda'.)
- (For other AGM In local election years, the Annual General Meeting must be held 5-14 days after election day.)
23. The previously elected Chairman and Vice-Chairman should remain in office **even though they may have not been re-elected** in order to chair the meeting until a new Chairman has been elected. The Vice-Chairman should chair the meeting if the Chairman is absent. If both are absent, a Chairman should be nominated and elected from and by the Councillors present.
24. The first item should be the election of a new Chairman, which an unelected Chairman may vote on, **but only if the votes are tied, ie a casting vote**. An unelected Vice-Chairman has no vote at all, unless filling in for an absent Chairman.
25. Once a new Chairman is elected, an unelected Chairman or Vice-Chairman should then leave office. The new Chairman takes over.

26. At its last meeting prior to the four-yearly election of Parish Councillors, the Council should ensure that all of its business is up-to-date and in a form that will facilitate transfer to the newly elected Council.
27. Councillors should complete a Register of Members' Interests as required by law **within 28 days of election.**

## **Annual Parish Meeting (APM)**

28. Annual Parish Meeting is **not the same as the AGM.** This is a **village meeting** which has to be called by law between March 1 and June 1 (inclusive) once a year.
29. The Clerk should ensure a meeting room is booked for the meeting well in advance.
30. Electors may ask questions to the Chairman of the Parish Council under matters arising from the public.
31. The event should be publicised well in advance to enable all electors and groups to formulate Motions and prepare presentations.
32. The Chairman of the Parish Council presides over the meeting unless absent when the Vice-Chairman presides. If both are absent, a Chairman should be nominated and elected by electors present.
33. Councillors have no special role at the meeting.
34. All electors may vote at an Annual Parish Meeting on Motions itemised on the agenda, with the Chairman having a casting vote.
35. **No Resolution of an APM is binding on the Parish Council, but it may be persuasive,** and should be discussed at the nearest available Ordinary Meeting.
36. The Clerk should take Minutes at an APM.
37. The Annual Parish Meeting should last no longer than 3 hours.

## **Extraordinary Meeting**

38. The Chairman may call an Extraordinary Meeting at any time such as when a Chairman resigns or for other urgent business.
39. Councillors may also call an Extraordinary Meeting, if the Chairman refuses to call it within 7 days of being asked to do so by at least 3 Councillors.
40. An Extraordinary Meeting must be summonsed in writing setting out the business to be considered.

## Quorum

41. A quorum at a Parish Council meeting is one-third **of the total number of Councillors or 3**, whichever is the greater.
42. Business cannot be carried out if there is no quorum. It must be deferred until the next Ordinary Meeting of the Council. Alternatively, an Extraordinary Meeting may be called. The same applies if a meeting becomes inquorate because Councillors have to leave.
43. Three is a quorum for a Committee Meeting.

## Minutes

44. The Clerk should record all meetings and produce Minutes (also known as Recordings of Proceedings) for confirmation at the next meeting. These should go out to the Chairman **before the meeting** for corrections.
45. Once approved at the meeting, Minutes should be signed by the Chairman.
46. In the absence of the Clerk, the Chairman may arrange for a Councillor to take the minutes.
47. The Minutes should reflect the Agenda, numbering each item under its heading. A progressive numbering system may be used if necessary, following on from the previous set of minutes, but this should still reflect Agenda items as listed on the Agenda.
48. When a Motion is approved, the terminology 'RESOLVED' should appear in the Minutes followed by what was Resolved.
49. Minutes should reflect substantive items and decisions, not every word that is said.
50. Minutes should be distributed to the public only after approval and the day after the meeting – a copy on the notice board and an electronic copy on our Parish Council website. A personal copy to any member of the public is also available on request.

## Smoking

51. Smoking is not permitted at Parish Council meetings or in any Council Property.
- 51a. Smoking, photography and recording of meetings by any means is not permitted. Mobile phones must be switched off during meetings.

## Agenda

52. The Agenda should reflect the key Motions to be resolved, especially spending ones, and should be the same as the Agenda posted on the noticeboards. Agenda



notes may be provided by the Clerk to Councillors where more detail is needed to help them through the meeting; for example, a budget statement.

53. Agendas and budget statements should be provided to members of the public and press to help them follow the meeting.
54. The Agenda cannot be altered once people have been notified of its contents – either added to or taken from.
55. The Council **cannot make substantive decisions or discuss Motions which are not on the Agenda** apart from procedural ones such as excluding the public, moving on to the next item, altering the Order of Business, or adjourning the meeting. These should be voted on. Minor items arising in 'Public Forum' may also be decided by the Council at the Chairman's discretion.
56. Other business not on the Agenda must wait until the next meeting or, if urgent, an Extraordinary Meeting may be called, or delegation of a decision to the Clerk is possible in an extreme emergency.

## **Ordinary Agenda**

57. At every Ordinary Meeting, the Agenda (also known as Order of Business) should be:
  1. Apologies for absence & declarations of interest
  2. To confirm the Minutes of previous meeting
  3. Matters arising from minutes
  4. Police, County Councillor & Borough Councillor reports
  5. Matters arising from the Public
  6. Reports from representatives on other committees
  7. Proposed Accounts
  8. Correspondence
  9. Planning Matters
  10. New Business to be discussed
  11. Maintenance
  12. Items approved for Expenditure
  13. Urgent items by permission of the Chairman
58. A Motion to vary the Ordinary Agenda on the grounds of urgency or other exceptional circumstance may be proposed by the Chairman or any other Councillor and put to the vote without discussion.
59. The format of the Agenda may be permanently changed either in substance or its order by Resolution of the Council.

## **Meaning of items on the Ordinary Agenda**

60. 'Declarations of Interest' should follow Code of Conduct guidelines and should be recorded in a separate book along with a verbal declaration made at the meeting. Particulars of any notice given by any member or any officer of the Council of a personal or prejudicial interest.

61. 'Minutes of the previous meeting' should deal with matters of accuracy only. Any amendments must be included in the Motion to confirm the Minutes. Councillors then vote to confirm and, once agreed, the Chairman signs the Minutes which should then be kept in a folder.
62. 'Matters Arising from the minutes' should deal with items of ongoing progress and review generally involving exchanges of information with possibly some minor decision making.
63. 'Police, County Councillor & Borough Councillor reports' are informational informing the Parish Council of matters within the respective remits, eg local authority policies which affect Irnham..
64. Matters arising from the Public' is a time where the general public may make comments. No decisions of a substantive nature should be made here, though items may be chased up by Councillors or deferred to the next Agenda.
65. Any substantive matters from the previous meeting requiring decisions should appear under their own heading.
66. 'Correspondence Box' is informational only apart from decisions needed on accepting invitations.
67. If something very important has suddenly arisen which is not on the agenda, but is so urgent that it needs an immediate decision, the Chairman may pass a resolution to go to "urgent items by permission of the Chairman" where the issue may be discussed. Any decision should be delegated to the clerk who has the powers to deal with emergency situations.
- 67a In the event of an occurrence which requires action before the next scheduled meeting, the Chairman, Vice Chairman and Clerk shall confirm its' urgency and agree a plan of action.

In the absence of any of the above mentioned officers, other Councillors should be consulted to ensure a minimum of three people have been involved. All actions shall be carried out by the Clerk (or the Chairman in the Clerks absence) and shall be confirmed at the next Parish Council Meeting.

A special meeting shall be called if the proposed action has high financial implications for the council.

## **AGM Agenda**

68. At the Annual General Meeting, the Agenda should include:
  1. Apologies for Absence
  2. Election of Chairman
  3. Election of Vice-Chairman
  4. Receiving the Declarations of Acceptance of Office from the Chairman and Vice-Chairman or, if not received, determining when they will be received
  5. In election year only, receiving the Declarations of Acceptance of Office from Councillors or, if not received, determining when they will be received
  6. Internal appointments – internal auditor, RFO.

7. Appointment of Representatives to External Bodies such as the Village Hall Committee
  8. Consideration of subscriptions and donations
  9. Inspection of all deed and trust instruments which are held by the Council.
69. The Minutes for an AGM should normally be approved at the June Meeting, not one year later.
70. The Clerk should book the meeting room for the meetings at an appropriate time – either following the AGM.
71. Annual Parish Meeting Agenda
72. At the Annual Parish Meeting, the Agenda should be:
1. Apologies for absence
  2. Approval of previous year's minutes and matters arising
  3. Chairman's report on Parish Council performance in past year
  4. Finance Report
  5. Reports from the Borough and County Councillors
  6. Reports from the Police
  7. Reports from other official representatives or village groups (these should be itemised)
  8. Public forum on Parish Council performance and future directions for the village

## **Extraordinary Meeting Agenda**

73. At an Extraordinary Meeting, the Agenda should be:
1. Apologies for absence & declarations of interest
  2. Extraordinary business detailed - which needs to be considered

## **Notification of Agenda**

74. The Clerk should provide Councillors with copies of the Agenda **at least 3 clear days before any meeting** of the Council. This does not include:
- the day it was posted
  - the day of the meeting
  - Saturdays, Sundays and Bank Holidays.
75. To facilitate the drafting and issue of the Agenda, Councillors should notify the Clerk **at least 10 clear days** before each meeting of any items they want on it. However, items for Agendas are at the discretion of the Clerk and Chairman.
76. If an urgent matter arises **less than 10 days** before a meeting, it must be notified to the Clerk who should consult the Chairman. The Chairman has the discretion to accept or reject such an additional Item onto the Agenda. In any case, the item must be raised before the Agenda is notified to the public.

77. The public should be notified of any meeting by posting copies of the Agenda on all our noticeboards **at least 3 clear days** before each Meeting of the Council. This should be signed by the Clerk.
78. The Clerk should also notify Police Representative, Borough and County Councillor of the next meeting by sending them the Agenda **at least 3 clear days** before the meeting. Any other notifications are at the discretion of the Clerk and Chairman.
79. Notification to the public for an Annual Parish Meeting is **7 clear days**. This should be signed by whoever calls the meeting.

## **Carrying out business**

80. Councillors must restrict their contributions to the debate to the issue under discussion, or to a Point of Order.
81. Councillors should address their comments to the Chairman keeping them as short and to the point as possible.
82. No speech should normally exceed 3 minutes except by the consent of the Chairman.

## **Proposals, Resolutions & Amendments**

83. Decisions are made via Proposals based on Agenda items which, when agreed, become Resolutions.
84. Where a Proposal has been put, an Amendment may be moved. The Amendment should not have the effect of nullifying the Proposal before the Council but should propose either the omission of words, or the omission of words and insertion/addition of others, or the insertion or addition of words.
85. An Amendment must be disposed of before any further Amendment may be proposed.
86. If an Amendment is carried, the Amended Resolution should become the Proposal to be voted on or further amended.
87. A Proposal or Amendment may be withdrawn. There should be no further debate on the Motion or Amendment unless the request for its withdrawal is refused.
88. When a Proposal is being debated, no further Proposal can be put except the following:
  - to amend the Proposal
  - to move on to the next item of business
  - to adjourn the debate
  - to ask that the Proposal be now put to the vote
  - to refer the Proposal to a committee
  - to exclude the public and the press
  - to ask that a specified Councillor be not heard again on the Motion
  - to ask that a specified Councillor be required to leave the Meeting.

89. Any further Resolution so put should be voted on immediately without further debate.
90. A Councillor may clarify a point from one of their previous speeches that may have been misunderstood.
91. No further discussion is allowed on Resolutions passed at the same meeting ('harking back').
- 90a Rescission of a previous resolution: A decision whether affirmative or negative of the Council, shall not be reversed within six months except by either a special resolution, the written notice whereof bears the names of at least 6 members of the council, or by a resolution moved in pursuance of the report or recommendation of a committee. When a special resolution moved under the provision of this order has been disposed of, no similar resolution may be moved within a further six months.

## **Voting**

92. Councillors should vote either by word of mouth (yes/no) or, if necessary, by a show of hands. They may also abstain.
93. Any Councillor, before a vote is taken, may ask the Clerk to record who voted for and who against.
94. Where there is a tie in the votes on a Motion, **the Chairman has a casting vote in addition to their original vote.**
95. The Chairman's declaration (after confirmation by the Clerk) as to the result of a vote is final.

## **Delegation**

96. The Parish Council may not delegate decisions to others except Committees and the Clerk.

## **Committees**

97. The Council may at its AGM establish Committees to carry out aspects of its work on its behalf.
98. Councillors of Committees are elected each year at the Annual General Meeting of the Parish Council. The Chairman and Vice-Chairman of the Parish Council should each be elected to one Committee only.
99. In the following circumstances, other Councillors may attend Committee Meetings:
- where any Committee Councillor is unable to attend a Committee Meeting, they may send a colleague as a substitute
  - where a Councillor who has raised an issue that has been referred to a Committee of which they are not a Councillor may explain the issue to the

Committee but may not vote

100. It is advisable because of the organisational aspects involved in Committee Meetings to use Working Parties (see 'Working Parties'). **However, Working Parties cannot be delegated to make decisions only recommendations.**

## **Working Parties**

101. The Council may set up Working Parties to follow through decisions and make recommendations. This may include members of the public.
102. Working Parties cannot make decisions on behalf of the Parish Council.
103. Meetings of Working Parties do not have to be notified or open to the public.
104. At least two Councillors should be on Working Parties to ensure conformity with Parish Council policy.

## **The Clerk**

105. The Council may delegate decisions to the Clerk either by Resolution at a meeting or outside of a meeting (after consultation with the Chairman and, in emergencies, two other Councillors). These decisions should involve routine decisions, signing cheques (if a signatory), and dealing with emergencies such as health/safety risks to the village.

## **Other Bodies**

106. The role of a Councillor appointed, as the Parish Council's Representative on an External Body such as the Village Hall Committee is to attend their meetings and report back to the Parish Council on issues raised and discussions held.
107. Where a Proposal or Resolution of that Body may commit the Parish Council to action or to financial expenditure, the Representative should raise the matter for the Agenda at the Parish Council's next Ordinary Meeting for debate and decision. They should then inform the External Body of the decision.

## **Conduct**

### **Conduct of Councillors**

108. Councillors and Officers of the Council must at all times ensure that they conduct themselves and carry out their duties in a way that protects the interests and reputation of the Council.

109. Where they have concerns about the conduct of the Council's business or actions taken on its behalf, Councillors should raise these initially with the Chairman or the Clerk as the Council's Proper Officer.
110. If it is then felt that the concerns have not been properly or adequately dealt with, the Councillor should bring the matter up before the whole Council for Resolution.
111. If they are still not satisfied, they may complain to the Standards Board.
112. Councillors should follow the terms of the **New Code of Conduct (Adopted May 10<sup>th</sup> 2007) issued by the Standards Board or its equivalent**.
113. Councillors should always conduct themselves at meetings in a way that upholds the good reputation of the Parish Council.
114. No Councillor should obstruct business, persistently disregard the ruling of the Chairman or behave offensively or improperly.
115. No personal remarks should be made. If they are, the Chairman may ask for an apology or retraction before continuing business. If none is forthcoming, the guideline following applies.
- 114a The Clerk is to be treated with respect at all times.
116. If the Chairman thinks a Councillor is conducting themselves badly, the Chairman or any Councillor may propose that they behave appropriately. It may be put to the vote immediately and without debate.
117. If the offending Councillor persists in bad behaviour, the Chairman may:
  - move that the Councillor leaves the meeting – the Proposal should be put to the vote immediately and without discussion, or
  - adjourn the meeting for as long as necessary, or
  - abandon the meeting, fix a new date for the meeting and exclude the Councillor from attending.
118. The same procedure above may apply to a Chairman behaving badly. Any Councillor present may propose that the Chairman stand down as Chairman for the rest of the meeting. It may be put to the vote immediately and without debate. The Vice-Chairman, if present, should then take over. If not present, then a Chairman should be elected for the rest of the meeting from and by the Councillors present.

## **Confidentiality**

119. No Councillors or employee of the Council may disclose any confidential business of the Council to any person who is not a Councillor.

## **Conduct of the Public**

120. Members of the public **do not have any right in law to speak at meetings** as they are meetings of the Council to carry out its business. Their role is one of

**observation.** However, they may express their views in matters arising from the public which, strictly speaking, is not part of the meeting itself. The Council may formally adjourn for matters arising from the public to demonstrate it is not part of the meeting.

121. Occasionally, the Chairman may ask members of the public to provide information which is helpful to the Council in carrying out its business. Such information is **by permission of the Chairman only**.
122. The Chairman is legally in charge and the position must command respect. The correct way of addressing the Council is via the Chairman using the appellation 'Chairman' or 'Mr Chairman'.
123. If any member of the public interrupts the proceedings of any meeting with personal, rude, derogatory, aggressive or uncalled for remarks, the Chairman should warn them they are out of order and may ask for a retraction (if applicable).
124. If the interruptions continue or no retraction is forthcoming, the Chairman may ask them to leave the meeting.
125. If they refuse, the Chairman should adjourn the meeting until they leave and, if necessary, phone the Community Police Officer or any available Police Officer.
126. In the event of a general disturbance, the Chairman may adjourn the meeting for as long as he consider necessary, or close it and call another.
127. Councillors are advised **not to use force to deal with an aggressive person** except in self defence.
128. In the event of persistent bad behaviour at meetings, a letter should be sent to the offender(s) explaining their conduct is not acceptable and advising them that they must follow Standing Orders else they face exclusion every time they repeat their behaviour. The letter should be minuted as well as the bad behaviour.
- 127a Policy about responses to the Press: Responses to the press relating to matters discussed by the Council shall be dealt with in the first instance by the Clerk. The Chairman is also authorised to give the views of the Council to the press on any non-confidential subject discussed by the Council. Whenever possible any information given to the press shall be given in writing so as not to leave interpretation open to misunderstanding and misreporting. At no time shall the personal views of either Members or Officers of the Council be given to the press in a way which could be interpreted as a view of the Council as a whole.

## **Complaints**

129. Public complaints should be dealt with in accordance with our Complaints Procedure.
130. The Complaints Procedure should be reviewed at least every 4 years.



# Vacancies

## Council vacancies

131. Councillors are elected for a term of 4 years, retiring on the 4th day after the date of the normal elections held every four years. At this point, all Councillors, unless re-elected, stand down. However, the Chairman and Vice-Chairman remain in office until the AGM elects a new Chairman.
132. A vacancy on the Council may result from the death, disqualification or resignation of a Councillor. Disqualification from office may result from:
  - failure to comply with relevant legislation
  - legal proceedings
  - failure to attend meetings of the Council for a period of six consecutive months from the date of their last attendance unless their absence has been approved by the Council.
133. The Council may declare the office of anyone disqualified vacant by Resolution at the first available meeting.
134. The proper procedure as set out in law should be followed in advertising and filling a vacancy. **After 14 clear days**, the Council may co-opt a Councillor. The procedure for co-option of a new Councillor is attached (Appendix A)
135. Where more than two people have been nominated for any position to be filled by the Council and there is no absolute majority in favour of one person in the votes cast, the name of the person having the least number of votes should be deleted from the list and a fresh vote taken. This process continues until the majority of votes (including the Chairman's casting vote if necessary) favour one candidate.

## Employee vacancies

136. All decisions relating to employee vacancies must be taken in accordance with appropriate employment legislation.
137. Vacancies are open to applicants irrespective of disability, ethnic origin, marital status, age, race, religion, sex, or sexual orientation.
138. Appointments should be made on the basis of **a candidate's ability to do the job**.
139. The Council should set up an Interview Panel for the office of Clerk. This is a Working Party consisting of Chairman, Vice-Chairman and one other Councillor. It should have a quorum of 3 so that recommendations for appointment can be ratified at the next meeting.
140. Anyone applying for employment by the Council must declare in writing any relationship to a Councillor or existing employee of the Council. Applicants must be advised of this requirement and, if they fail to make appropriate disclosures,

they may be disqualified from application or, if the relationship is not established until after their appointment, may be dismissed without notice.

141. Anyone applying for employment by the Council should be advised that canvassing of any Councillor, directly or indirectly, disqualifies them from appointment.
142. No Councillor should actively canvass for the appointment of any applicant for a post with the Council.

## **Documentation**

### **Access to documentation**

143. A Councillor may as part of their duty inspect any document in possession of the Council or Committee and, if copies are available, request a copy.
144. The public may access the following documents of the Council under the Freedom of Information Act 2000:
  - Minutes
  - Standing Orders
  - Financial Regulations
  - Declarations of Acceptance of Office
  - Official Register of Members' Interests
  - Irnham PC Register of Interests folder
  - Electoral review documents
  - Job descriptions and terms & conditions of employment
  - Responses to planning applications
  - Accounting and auditing information – latest annual return, latest auditor reports, cash books, bank statements, VAT records, precept request, assets documents, risk assessments.
145. Other documents may be made available at the discretion of the Council.
146. The Council should communicate the public's right to the above information and make it available for viewing. This should include public places, as appropriate, such as on their website and on the notice board.
147. Hard copies of documents should be available **on request**. A small fee may be payable for copies of large documents or multi-copies of documents.
148. Documents should be retained by the Clerk for the specified legal limits.

### **Council Land**

148. The council should review its land holding if applicable.

### **Planning documents**

149. The Clerk should circulate copies of planning documents to **at least three**

**Councillors** including the Chairman.

150. Where comments on planning documents need to be returned to a planning authority **before approval at the next meeting**, the Clerk may either phone up the authority to request a delay, or pass on the comments indicating the comments are subject to ratification at the next Council meeting but that a majority of Councillors have already approved them.

## **Sealing/signing documents**

151. A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.
152. In accordance with a resolution made under standing order 151, any two members of the Council, may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.
153. The Clerk, as the Council's designated Proper Officer, also has authority to undertake correspondence on the Council's behalf as part of their normal duties.

## **Finances**

154. In order to comply with legal obligations and the control of financial risk, all financial matters are contained within our Financial Regulations. However, listed below are certain regulations, which it is felt should be included within these standing orders.
- Orders for payment of money shall be authorised by resolution of the council and be signed by two members and the clerk.
  - Where it is intended to enter into a contract exceeding £500 in value for the supply of goods or materials, or for the execution of works, this shall be put out to tender to at least three companies.
  - The council are not obliged to accept the lowest of any tender or estimate.
  - Employee salaries are to be reviewed annually.
- 154a Where the value of a 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 the 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 Procurement Rules.

## **Power of well-being (England)**

155. Before exercising the power to promote well-being, a meeting of the Full Council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria required to qualify as an eligible Parish Council.

The Council's period of eligibility begins on the date that the resolution under order above was made and expires on the day before the annual meeting of the Council that takes place in a year of ordinary elections.

After the expiry of its preceding period of eligibility, the Council continues to be an eligible Council solely for the purpose of completing any activity undertaken in the exercise of the power to promote well-being which was not completed before the expiry of the Council's preceding period of eligibility referred to in the standing order above.

## **Changing Standing Orders**

156. A Standing Order may be added to, changed or revoked as long as it is a Motion on the Agenda.

157. Standing Orders should be reviewed every 4 years.

158. A copy of Standing Orders shall be given to each member.

159. The Standing Orders may be suspended at any time and for any period of time by resolution.

These Standing Orders were adopted by Irnham parish Council at its meeting on 30<sup>th</sup> September 2015.

Signed  
Clerk

Signed  
Chairman