

LITTLE BROMLEY PARISH COUNCIL

STANDING ORDERS

1. Rules of Debate at meetings

- a. Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairman of the meeting.
- b. A point of order shall be decided by the chairman of the meeting and his decision shall be final.

2. 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 2(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.

3. Meetings generally

- 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. 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.
- 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. This 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.

e. Two lots of public participation will be included on the Agenda and public participation is welcomed and encouraged at all meetings of Lt Bromley Parish Council. To ensure the business of the meeting is conducted in an orderly and efficient manner the Chairman will use his discretion to allow public participation at other times during the meeting.

f. Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.

g. Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's prior written consent.

h. The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.

i. Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council, may, in his absence, be done by, to or before the Vice-Chairman of the Council (if any).

j. The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if present, 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.

k. Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the Councillors or Councillors with voting rights present and voting. The Chairman of a meeting may give an original vote on any matter put to the vote, in the case of an equality of votes he may exercise his casting vote whether or not he gave an original vote.

l. Unless standing orders provide otherwise, voting on an item shall be by acclamation or a 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 item. Such a request shall be made preferably before moving on to the next item but before closure of the meeting.

- m. The minutes of a meeting shall include an accurate record of the following:
 - i. the time and place of the meeting;
 - ii. the names of Councillors present and absent;
 - iii. interests that have been declared by Councillors with voting rights;
 - iv. whether a Councillor with voting rights left the meeting when matters that they held interests in were being considered;
 - v. if there was a public participation session; and
 - vi. the resolutions made.

- n. A 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.

- o. 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 the quorum of a meeting be less than three.

- p. 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.

- q. A meeting shall not generally exceed a period of 2 hours except at the discretion of the Chairman.

- r. Public notices will be posted on the respective notice boards and website informing members of the public of the venue, time and date and business to be transacted at that meeting. The notice will be posted at least 3 clear days before the meeting.

- s. Any Parishioner may request that motions are placed on the agenda, subject to standing order 9 and 10 below, and having given 9 clear days notice.

- t. The minutes of the meeting shall be recorded by the Clerk or other nominated person. The minutes which are circulated will remain in draft format until they are approved by the Parish Council at their next meeting and signed by the person presiding at that meeting. Draft minutes will be published on the notice boards and website within 2 weeks of the meeting or as soon as reasonably practicable thereafter.

4. Committees and sub-committees

- a. Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members will be determined by the Council unless otherwise delegated.
- b. The members of a committee may include non-Councillors unless it is a committee which regulates and controls the finances of the Council.
- c. Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-Councillors.

5. Ordinary 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, at least three other ordinary meetings shall be held in each year on such dates and times as the Council directs.
- e. The first business conducted at the annual meeting of the Council shall be the election of the Chairman and Vice-Chairman (if any) 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, if any, 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 re-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 the election of the new Chairman of the Council but must give a casting vote in the case of an equality of votes.

i. 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.

j. Following the election of the Chairman of the Council and Vice-Chairman (if any) of the Council at the annual meeting of the Council, the business of the annual meeting shall include:

i. In an election year, delivery by the Chairman of the Council and Councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council of his acceptance of office form unless the Council resolves for this to be done at a later date

6. Extraordinary meetings of the Council, committees and sub-committees

a. The Chairman of the Council may convene an extraordinary meeting of the Council at any time.

b. If the Chairman 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. Previous resolutions

a. A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least 2 Councillors to be given to the Proper Officer (Clerk) in accordance with standing order 9 below, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.

b. When a motion moved pursuant to standing order 7(a) above has been disposed of, no similar motion may be moved within a further six months.

8. 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.

9. Motions for a meeting that require written notice to be given to the Proper Officer

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.

c. The Proper Officer (namely the Clerk or other person nominated to act as Clerk) may, before including a motion on the agenda received in accordance with standing order 9(b) above, correct obvious grammatical or typographical errors in the wording of the motion.

d. If the Proper Officer consider the wording of a motion received in accordance with standing order 9(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.

e. 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.

f. Subject to standing order 9(e) above, the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.

g. Motions rejected shall be recorded in a book for that purpose with an explanation by the Proper Officer for their rejection.

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

- a. The following motions may be moved at a meeting without written notice to the Proper Officer;
- 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 or sub-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 or sub-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.

11. Handling confidential or sensitive information

- a. The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential or sensitive information which for special reasons would not be in the public interest.
- b. Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.

12. Draft minutes

- a. Minutes of the meeting shall be written in Draft form and circulated promptly to all members of the Parish Council for approval. With the agreement of all members the draft minutes will be published within 2 weeks of the Council meeting or as soon as practicable thereafter. If an item doesn't have full agreement then the minutes will be published with that item to be agreed at the next meeting.

- b. If the draft minutes of a preceding meeting have been served on Councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- c. There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 10(a)(i) above.
- d. 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.
- e. If the Chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:
“The Chairman of this meeting does not believe that the minutes of the meeting of the () held on (date) in respect of () were a correct record but his view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings”
- f. Upon a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

13. Code of conduct and dispensations - England

- a. All Councillors with voting rights shall observe the code of conduct adopted by the Council.
- b. Unless he has been granted a dispensation, a Councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.
- c. Unless he has been granted a dispensation, a Councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the Council's code of conduct. He may return to the meeting after it has considered the matter in which he had the interest.
- d. Dispensation requests shall be in writing and submitted to the Proper Officer as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.

- e. A decision as to whether to grant a dispensation shall be made by the Proper Officer and that decision is final.
- f. A dispensation request shall confirm:
 - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - iv. an explanation as to why the dispensation is sought.
- g. Subject to standing orders 13(d) and (f) above, dispensations requests shall be considered by the Proper Officer before the meeting, or, if this is not possible, at the start of the meeting for which the dispensation is required.
- h. A dispensation may be granted in accordance with standing order 13(e) above if having regard to all relevant circumstances the following applies:
 - i. without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business or
 - ii. granting the dispensation is in the interests of persons living in the Council's area or
 - iii. it is otherwise appropriate to grant a dispensation.

14. Code of conduct complaints

- a. Upon notification by the District Council that it is dealing with a complaint that a Councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to standing order 11 above, report this to the Council.
- b. Where a notification in standing order 14(a) above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of Council of this fact, and the Chairman shall nominate another person to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with standing order 14(d) below.
- c. The Council may:
 - i. provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
 - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter.

d. Upon notification by the District or Unitary Council that a Councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.

15. Proper Officer

a. The Proper Officer shall be either (i) the Clerk or (ii) other person(s) nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.

b. The Proper Officer shall:

- i. at least three clear days before a meeting of the Council, a committee and a sub-committee serve on Councillors a summons, by email, hand delivery or post, confirming the time, place and the agenda.
- ii. give public notice of the time, place and agenda at least three clear days before a meeting of the Council or a meeting of a committee or a sub-committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by Councillors is signed by them)
- iii. subject to standing order 9 above, include on the agenda all motions in the order received unless a Councillor has given written notice at least 9 days before the meeting confirming his withdrawal of it;
- iv. convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;
- v. facilitate inspection of the minute book by local government electors;
- vi. receive and retain copies of byelaws made by other local authorities;
- vii. retain acceptance of office forms from Councillors;
- viii. retain a copy of every Councillor's register of interests;
- ix. assist with responding to requests made under the Freedom of Information Act 2000 in accordance with and subject to the Council's policies and procedures relating to the same;
- x. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- xi. manage the organisation, storage of, access to and destruction of information held by the Council in paper and electronic form;
- xii. arrange for legal deeds to be executed; *see also standing order 22 below*
- xiii. arrange or manage the prompt authorisation, approval and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations;
- xiv. retain every planning application notified to the Council and the Council's response to the local planning authority;

- xv refer a planning application received by the Council to the Chairman and Councillors to facilitate an extraordinary meeting if the nature a planning application requires consideration before the next ordinary meeting of the Council
- xvi manage access to information about the Council via the publication scheme

16. Responsible Financial Officer/Accounts and accounting statement

- a. see the Council's separate Financial Standing Orders

17. Requests for Information

- a. 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
- b. Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to do anything to facilitate compliance with the Freedom of Information Act 2000

18. Relations with the press/media

- a. Requests from the press or other media for an oral or written comment or statement from the Council or its Councillors shall be handled in accordance with the Council's policy in respect of dealing with the press and/or other media.

19. Communicating with District and County Councillors

- a. An invitation to attend a meeting of the Council shall be sent by e-mail together with the agenda. to the ward Councillor(s) of the District and County Council representing the area of the Council.

20. Restrictions on Councillor activities

- a. 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.

21. 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,
- c. The Proper Officer 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.
- e. Standing Orders will be reviewed annually and amendments will be decided by full Council. The Chairman's decision as to the interpretation of the standing orders shall be final,
- f. Except those standing orders which are mandatory by law, the Chairman may resolve to suspend a standing order in order to progress the business of the Council and such decision will be recorded in the minutes. The suspension will be limited for the duration of that meeting.

April 2015