

BINSTED PARISH COUNCIL

STANDING ORDERS

1. MEETINGS OF THE COUNCIL

- 1.1** Ordinary Meetings of the Council shall be held on the first Monday in each month at 7.30pm in the Sports Pavilion, Binsted Recreation Ground, unless otherwise stated in the Notice of the Meeting.
- 1.2** Meetings of Council and its Working Parties shall be held in accordance with a calendar to be approved by the Council from time to time, with additional meetings as required.
- 1.3** The Chairman of the Council may at any time summon an extraordinary or a special meeting of the Council providing that the summons complies with the relevant statutory requirements. If the Chairman refuses to convene a Meeting of the Council after a requisition for that purpose, signed by two Members of the Council, has been presented to him, any two Members of the Council may forthwith, on that refusal, convene a Meeting. If the Chairman (without refusing so) does not within seven days of such presentation, convene a Meeting, and two Members of the Council may, on the expiration of those seven days, convene a Meeting.
- 1.4** A summons to attend and Agenda for each Meeting shall be sent electronically or delivered by hand to each member of the council, to arrive at least 3 clear working days before the meeting date. Similar public notices of each meeting shall be posted on the Council's Notice Boards and on the website.
- 1.5** The Statutory Annual General Meeting of the Parish Council shall be held on the second Monday in May except in an election year when the Meeting shall take place within fourteen days of the date on which Councillors take office.
- 1.6** The Annual Parish Meeting is a public Meeting required by statute to be held in the period between 1 March and 1 June each year at which any elector for the Parish then present may speak at any time, at the discretion of the Chairman, on matters arising of direct concern to the Parish.
- 1.7** The Public and press shall be admitted to Meetings of the Council and its Advisory Working Parties, which may, however, temporarily exclude them by passing an appropriate resolution.
- 1.8** Members of the public will however have the opportunity to ask questions during Meetings when the Chairman adjourns the formal Meeting for this purpose.

2. CHAIRMAN OF THE MEETING

- 2.1** The person presiding at a Meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.

- 2.2 If the Chairman is absent, the Vice Chairman shall preside.
- 2.3 If the Chairman and Vice-Chairman are absent, the Meeting shall appoint a Chairman before it proceeds to any business.

3. PROPER OFFICER.

- 3.1 The Clerk is the proper officer of the Council for any purpose in respect of which proper officer is mentioned in any statute, regulation or order.
- 3.2 The Clerk shall record the proceedings of Council and Working Party meetings.
- 3.3 If the Clerk is absent, the person presiding at the meeting may record the proceedings or may appoint another to do so.

4. QUORUM

- 4.1 No business shall be transacted unless a quorum is present.
- 4.2 Three members of the Parish Council shall constitute a quorum at Parish Council Meetings
- 4.3 A motion to suspend Standing Orders at Parish Council Meetings shall not be moved unless at least 6 members of the Council are present.
- 4.4 If a quorum is not present when the Council meets, or if the number of Members present falls below the quorum, the business not transacted shall be deferred to the next Meeting or on such other day as the Chairman may arrange.

5. VOTING

- 5.1 Members of the Council vote by show of hands except as provided by Standing Order 6.
- 5.2 If there be an equality of votes, the Chairman shall have a second or casting vote.
- 5.3 If a member so requires, the Clerk shall record for the Minutes the names of Members who voted for or against any motion or abstained from voting.
- 5.4 If a Member so requires, the Clerk shall record in the Minutes the Members objection to the resolution passed.

6. VOTING ON APPOINTMENTS

- 6.1 Whenever two or more persons are nominated for any position to be filled by the Council a ballot shall be held at which all the votes shall be given in writing.
- 6.2 If the ballot does not result in an overall majority, the name of the person having the least number of votes shall be struck off the list and a fresh ballot taken, and so on until an absolute majority of votes is given in favour of one person.

7. ORDER OF BUSINESS

- 7.1 In an election year Councillors shall execute Declarations of Interest and accept the Code of Conduct.

At the Annual General Meeting of the Council the first business shall be:

- 7.2** To elect a Chairman of the Council who shall hold office until the next Annual General Meeting
- 7.3** To receive the Chairman's Declaration of Acceptance of Office
- 7.4** To elect a Vice-Chairman of the Council who shall hold office until the next Annual General Meeting
- 7.5** To receive the Vice-Chairman's Declaration of Acceptance of Office.
- 7.6** To elect Chairmen of Advisory Working Parties, to appoint Members of Advisory Working Parties and other officers of the Council as from time to time may be required.
- 7.7** To appoint Representatives to Outside Bodies, with the exception of appointments to school governing bodies and other organisations which may be made for longer periods.
- 7.8** To accept apologies. Members submitting apologies at short notice, ie on the date of the meeting, shall notify the Chairman of the Council if unable to notify the clerk.
- 7.9** To confirm the minutes, previously circulated, which shall be signed by the Chairman as a correct record and initialled in the right hand corner of each page, subject to any agreed amendments.
- 7.10** To receive, by proposal, to consider, by discussion and confirm by seconding and voting, the proposals, reports and minutes of working parties.
- 7.11** To dispose of business, if any, remaining from the last meeting.
- 7.12** To receive a report from the presiding chairman.
- 7.13** To receive, appended to the minutes, the Sage payments report should be included as a signed page in the minutes.

Annual Parish Meeting order of business

- 7.14** To receive a report from the Chairman of the council.
- 7.15** To receive a report from Chairmen of Finance and Highways.
- 7.16** To receive a report from the District Councillor relating to activities of East Hants District Council on matters relating to the Parish.
- 7.17** To receive a report from the County Councillor relating to activities of East Hants District Council on matters relating to the Parish.
- 7.18** To consider any matters raised by the electors relating to the Parish of Binsted.
- 7.19** Guest speakers at the Annual Parish meeting will normally speak at a time appointed by the parish council.

8. MOTIONS MOVED ON NOTICE

- 8.1** Except as provided by Standing Order 9, no motion may be moved unless the Mover has given notice in writing of its terms and has delivered the notice to the clerk no later than three clear working days before the next meeting of the Council.

- 8.2** Notices of motion received shall be notified in the summons to the meeting unless written confirmation of withdrawal of the motion is received.
- 8.3** If the subject matter of a motion is within then province of a working party it shall, upon being moved and seconded, stand referred to that working party unless the Chairman considers it to be a matter of urgency.
- 8.4** Every motion shall be relevant to a matter over which the council has the power or which affects the parishioners of Binsted

9. MOTIONS MOVED WITHOUT NOTICE

- 9.1** To appoint a Chairman of the meeting.
- 9.2** To correct or approve the minutes.
- 9.3** To alter the order of business, proceed to the next business, adjourn or close the debate.
- 9.4** To appoint a Working Party or any members thereof.
- 9.5** To refer a matter to a Working Party.
- 9.6** To adopt a report.
- 9.7** To amend a motion.
- 9.8** To suspend Standing Orders, in compliance with Standing Order 4.3
- 9.9** To exclude the public and the press.
- 9.10** To silence or eject from the meeting a member named for misconduct in compliance with Standing Order 20.2.
- 9.11** To invite a member of the council having an interest in the subject matter under debate to remain.
- 9.12** To agree the adoption of reports and recommendations of working parties or the Proper Officer of the council and any consequent resolution.
- 9.13** To set a time limit for speakers.
- 9.14** To give the consent of the Council where such consent is required by these Standing Orders.

10. AMENDMENTS TO MOTIONS

- 10.1** Amendments must be moved after the minutes are proposed and before a seconder is requested.
- 10.2** Amendments shall be relevant to the motion and shall not have the effect of negating the motion before the council.
- 10.3** Only one amendment may be moved and discussed at a time.
- 10.4** If an amendment is lost, other amendments may be moved on the original motion. If any amendment is carried, the motion as amended shall take the place of the original motion and shall become the motion upon which any further amendment may be moved.
- 10.5** An amendment shall be either –
 - a) To omit words

b) To omit words and insert and add others

c) To insert or add words.

10.6 A further amendment shall not be moved until the council has disposed of every Amendment previously moved.

11. RIGHT OF REPLY

11.1 The Mover of a motion shall have a right to reply immediately before a motion is put to the vote.

11.2 If an amendment is proposed the mover of the amendment shall be entitled to reply immediately.

11.3 A member exercising a right to reply shall not introduce new matter.

11.4 After the right to reply has been exercised or waived, a seconder will be asked for and a vote shall be taken without further discussion.

12. RECISSION OF PREVIOUS RESOLUTION

12.1 A decision (whether affirmative or negative) of the council and its working parties shall not be reversed within six months save by a special motion, the written notice of which must bear the names of at least four members of the council.

12.2 When a special motion has been disposed of, no similar motion may be moved within a further six months.

13. DISCUSSIONS AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL

13.1 If any question arises at a meeting of the council or a working party relating to the appointment, promotion dismissal, salary, conditions of service or as to the conduct of any employee of the council, a motion to exclude the public and press shall be moved by the Chairman, seconded and put without debate.

13.2 The appointment of the Clerk to the Council shall be the responsibility of the Chairman and Vice-Chairman of the Council and such other Councillor's as may from time to time be considered appropriate by the Chairman.

13.3 The appointment of other members of staff shall be the responsibility of the Chairman and Vice Chairman of the Council, in consultation with the clerk.

14. EXPENDITURE

14.1 Online banking payments must be authorised by two signatories on the bank mandate. Any cheques signed must be by two authorised signatories as per bank mandate and cheque counterfoils initialled accordingly.

14.2 Expenditure on account of salaries, personal expenses (see Standing Order (14.3) sundry office and minor maintenance may be paid without reference to council

14.3 The Clerk and Deputy Clerk's mileage, office and other incidental expenses claims, must be approved by Chairman of Finance and one other signatory, prior to presentation together with supporting documentation.

14.4 Schedules of all payments by cheque or online banking shall be attached to the Minutes and presented to the Council for approval.

14.5 The Clerk, in consultation with the Chairman or Chairman of the Finance working party is authorised to approve expenditure up to £1,500 in cases of emergency which shall be taken to council for approval.

15 SEALING OF DOCUMENTS

15.1 Any two members of the council may seal, on behalf of the council, any document required by law to be issued under seal, provided that sealing has been authorised by a resolution of the council. One of the signatories shall be the Chairman or Vice Chairman.

16 ADVISORY WORKING PARTIES

16.1 In addition to the appointment of Advisory Working Parties at the Annual General Meeting, the Council may at any time appoint or dissolve such Working Parties as are considered necessary, subject to any statutory provisions.

16.2 No Member shall hold office in all Advisory Working Parties of the Council excepting the Chairman and Vice Chairman of the Council.

16.3 Each advisory Working Party shall have not fewer than four members including its Chairman.

16.4 An Advisory Working Party consisting of all members of the Council is not legally an Advisory Working Party.

16.5 Advisory Working Parties of the Council shall have such responsibilities as laid down in the Terms and Conditions of the Working Party.

16.6 The election of the Chairman and Members of Advisory Working Parties shall take place at the Annual General Meeting

16.7 The Chairmen of the Advisory Working Parties shall normally hold office until the next Annual General Meeting.

16.8 The Quorum of an Advisory Working Party shall be three of its members.

16.9 All Standing Orders shall apply equally to meetings of Advisory Working Parties.

16.10 Advisory Working Parties shall be empowered to co-opt any council member or other person (in a non-voting consultative capacity) as the situation demands.

16.11 A Council member not a member of an Advisory Working Party may attend the proceedings of that Working Party and may speak with the permission of the Chairman but may not vote. Non-Working Party members attending Working Party Meetings shall sit where directed by the Chairman. All Members of the Finance, Advisory Working Parties are ex-officio Members of all other Working Parties and are able to vote.

- 16.12** A Council Member's right to speak at a meeting of an Advisory Working Party of which he is not a member is as laid down in Standing Order 1.8.
- 16.13** The proceedings of any Advisory Working Party shall start as specified in the notice of meeting and will not proceed beyond that time. The maximum extension shall be 30 minutes.
- 16.14** Members of Advisory Working Parties shall vote by show of hands.
- 16.15** If there be an equality of votes, the Chairman shall have a second or casting vote.
- 16.16** Except with the prior agreement of the Council no Advisory Working Party of the Council shall have any executive authority.

17 TERMS OF REFERENCE- ADVISORY WORKING PARTIES

- 17.1** The terms of reference of Advisory Working Parties shall be as agreed by the Council from time to time.

18 RULES OF DEBATE

- 18.1** No discussion shall take place upon the Minutes except upon their accuracy.
- 18.2** Alterations to the minutes shall be made by resolution.
- 18.3** A member shall speak only on the matter under discussion
- 18.4** Members shall remain seated while speaking.
- 18.5** The Chairman shall indicate the order in which members may speak
- 18.6** No speech shall contain offensive expressions or impute motives in reference to any Member
- 18.7** When a resolution is under debate no other resolution shall be moved except the following:
- a. To amend the resolution
 - b. To proceed to the next business
 - c. To adjourn to debate
 - d. That the question be now put
 - e. That a member named be not further heard.
 - f. That a member named do leave the meeting
 - g. That the resolution be referred to an advisory committee
 - h. To exclude the public
 - i. To adjourn the meeting
- 18.8** A member shall not speak more than once on any motion, except to move an amendment on a point of order, to move closure, or in personal explanation.
- 18.9** A personal explanation shall be confined to a material part of a former speech for the purpose of clarification.
- 18.10** Amendments to a motion shall be dealt with in compliance with Standing Order 10.
- 18.11** The mover of a resolution or an amendment shall have a right of reply.
- 18.12** Members shall address the Chairman
- 18.13** A member, when seconding a resolution or amendment may, if he then declares his intention to do so, reserve his speech until a later period of the debate.

18.14 A motion or amendment may be withdrawn with unanimous consent without discussion.

18.15 No speech shall exceed five minutes except by consent of the Chairman

19 CLOSURE

19.1 At the end of any speech a Member may, without comment, move “that the question be now put” “that the debate be now adjourned”, or “that the Council do now adjourn”. If such a motion is seconded and the Chairman is of the opinion that the question before the Council has been sufficiently debated (but not otherwise) the Chairman shall forthwith put the motion.

19.2 If the Motion “that the question be now put” is carried, the Chairman shall call upon the right has been exercised or waived.

19.3 The adjournment of a debate or of the Council shall not prejudice the mover’s right to reply at the resumption.

20 DISORDERLY CONDUCT

20.1 No member shall persistently disregard the ruling of the Chairman by wilfully obstructing business, or by behaving offensively, improperly, or in such a manner as to scandalise the Council or bring it into contempt or ridicule.

20.2 If in the opinion of the Chairman, a member so commits misconduct, the Chairman shall express that opinion to the Council and thereafter any member may move that the member named do leave the meeting and the motion, if seconded, shall be put forthwith without discussion.

20.3 If the motion is disobeyed the Chairman may suspend the meeting or take such further steps as may reasonably be necessary to enforce them.

20.4 In the event of a general disturbance which renders the dispatch of business impossible the Chairman may, without question, adjourn the meeting for such period or to such place as he in his discretion shall consider expedient.

20.5 If a member of the public interrupts the proceedings at any meeting, the Chairman shall warn him. If he continues the interruption the Chairman shall order his removal from the meeting. In the case of a general disturbance the Chairman shall order that part of the room be cleared.

21 ATTENDANCE AT COUNCIL MEETINGS

21.1 Any member who fails to attend a meeting of the Council, or of a Working Party of which he is a member, for six consecutive months shall be deemed to have resigned from the Council or Working Party unless leave of absence has been granted by the Council before the expiration of the six month period referred to above.

21.2 Members shall submit apologies to the Clerk prior to the date of any Meeting or Working Party, Members submitting late apologies i.e. on the day of the meeting, and were unable to speak to the Clerk personally, shall advise the Chairman of the meeting prior to that meeting.

22 INSPECTION OF DOCUMENTS

- 22.1** A member may, for the purpose of his duty (but not otherwise) inspect any document which has been considered by a Working Party or by the Council and which is not available for public inspection, and on request shall be supplied with a copy of such document.
- 22.2** All non-confidential elements of minutes and reports kept by the council or by any of its Working Parties shall be open for inspection by any elector of the Parish, by appointment.

23 CONTRACTS

- 23.1** No less than three quotations shall be obtained for contracts exceeding £1,000.
- 23.2** The Clerk to the Council, after consultation with the Chairman of Council and Chairman of Finance may enter into a contract valued up to and including £1,000 on behalf of the Council with any person he/she considers competent for the purpose, provided that no one person shall be awarded contracts with the aggregate value exceeding £5,000 in any financial year.

24 DELEGATED AUTHORITY

- 24.1** Authority to act on behalf of the council may be delegated only in one of the following ways-
- a) To a Working Party of the Council
 - b) To the Proper Officer of the Council.

25 CONFIDENTIAL BUSINESS

- 25.1** No member of the Council shall disclose to any person not a member of the Council business declared to be “confidential” by the Council or a Working Party.

26 DECLARATIONS TO THE PRESS AND PUBLIC

- 26.1** No member shall make any declaration to the press or public on any issue which is the subject of debate by the Council
- 26.2** The Clerk, Chairman of the Council or Chairman of any relevant Working Party, may make such declarations as are considered appropriate by them.
- 26.3** Correspondence, including those made electronically on behalf of the Council, must be signed by either the Clerk or Chairman of the Council

27 PAYMENT OF TRAVEL ALLOWANCES

- 27.1** Where travel on Council business is outside the boundaries of the Civil Parish of Binsted, Council members and employees’ claims for car travel expenses will be at the rate per mile agreed by the Council from time to time. Council members travelling on Council business within the Parish will be similarly reimbursed.

28 CODE OF CONDUCT FOR DEALING WITH COMPLAINTS

- 28.1** Any complaints relating to procedures or administration of the Council shall be dealt with in accordance with a Code of Conduct which may be reviewed from time to time.