

STANDING ORDERS OF WILLITON PARISH COUNCIL

Adopted 8th May 2018

(Please note that those items in bold type are statutory in origin)

Definitions:

The following terms shall be interpreted as below:

- “The Council” shall mean Williton Parish Council.
- “Committee” shall mean any Committee as shall be deemed necessary by the Council at any given time.
- “Sub Committee” shall mean any Sub-Committee as shall be deemed necessary by the Council at any given time.
- “Working Group or Advisory Committee” shall mean any *ad hoc* group appointed by the Council or any of its Committees for a limited specific task and shall not take on any permanent role, nor shall it have the power to take on any delegated functions.
- Local Government Act 1972 section 270 includes the following definitions and interpretations that are relevant. “Christmas break” means the period beginning with the last week day before Christmas Day and ending with the first week day after Christmas Day which is not a bank holiday. “Easter break” means the periods beginning with the Thursday before and ending with the Tuesday after Easter Day.

In accordance with Standard English usage, where the masculine is used, this shall encompass both genders.

Reference Documents

- Financial Regulations (Annexe 1)
- Records Retention Schedule (Annexe 2)
- Local Government Act 1972 (Annexe 3)
- Code of Conduct of the National Association of Local Councils (Annexe 4)

1. The Statutory Annual Meeting

- (a) The Statutory Annual Meeting of the Council is to be held in May. In an election year the Annual Meeting shall be held on or within 14 days following the day on which the councillors elected take office. In a year which is not an election year, the Annual Meeting of the Council shall be held on such a day in May as the Council may direct. If no other time is fixed, the Annual Meeting shall take place at 7pm.
- (b) The Chairman shall, unless he resigns or ceases to be qualified or becomes disqualified, continue in office and preside at the Annual Meeting until his successor is elected at the next Annual Meeting of the Council.
- (c) The Vice-Chairman shall, unless he resigns or ceases to be qualified or becomes disqualified, continue in office until immediately after the election of the Chairman of the Council at the next Annual Meeting of the Council.
- (d) 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.
- (e) 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.

At each Annual Meeting the first business shall be:

- (f) To elect a Chairman and Vice Chairman (if any) of the Council.
- (g) To receive the Chairman’s declaration of acceptance of office, or, if not received, to decide when it shall be received.
- (h) In an election year, to make arrangements to fill any vacancies left unfilled at the election by reason of insufficient nominations.
- (i) In an election year, to decide when any declarations of acceptance of office, which have not been received, as provided by law, shall be received.
- (j) To appoint Committees and review their terms of reference. Where more than two persons have been nominated for any position to be filled by the Council and of the votes given there is not an absolute

majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken, and so on until a majority of votes is given in favour of one person.

- (k) To appoint Representatives to Outside Bodies. Where more than two persons have been nominated for any position to be filled by the Council and of the votes given there is not an absolute majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken, and so on until a majority of votes is given in favour of one person.
- (l) To inspect any deeds and trust instruments, if any, in the custody of the Council, or to receive a report from the Proper Officer that this has been done, or that there are none.

2. Chairmanship

(i) Origin

The office of Chairman of a local authority is created by statute, which has conferred upon the occupant of the chair a second or casting vote on all occasions but one. The scope of his authority, however, depends upon ancient customs which are perfectly logical and arise from the necessities of the case.

(ii) Nature and Limitations

(a) Whether or not the Council has passed any standing orders, the Chairman's procedural authority is derived from the Council as a whole and an individual councillor must obey his rulings because they are the rulings of the Council itself. It follows from this, however, that the Chairman cannot overrule the Council and that a councillor who is dissatisfied by the Chairman's ruling may invite the Council to disagree with it. Such appeals against the chairman ought to be very rare.

(b) The authority of the Chairman, as such, is limited to matters of procedure and neither increases nor decreases his right (in comparison with other members) to discuss the merits of a particular case. It is one of his most difficult tasks to remember that, while the Chair gives him authority on matters of procedure, it confers no rights (other than the casting vote) on matters of policy above those possessed by other members.

(c) 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.

(d) 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.

(e) The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.

(f) No member elected as Chairman of the Council at the Annual Parish Council Meeting shall hold the office of Chairman for more than four consecutive years.

3. Ordinary Meetings

- (a) Meetings of the Council normally to be held at the Parish Office, Killick Way, Williton but the Chairman or Vice Chairman may adjourn the meeting to be relocated to suitable alternative premises if circumstances so demand. **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) In addition to the Statutory Annual Council meeting, at least three other statutory meetings shall be held in each year on such dates and times and at such a place as the Council may direct.**
- (c) Meetings of the Council, normally to be held on the first Monday of the month at 7.00 pm.
- (d) When calculating the three clear days for notice of a meeting to Councillors and the Public, the day on which the 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 morning shall not count.**
- (e) When the Monday coincides with a public holiday the meeting will be rescheduled to be held on the following day i.e. Tuesday.**
- (f) Meetings of the Council shall not continue for more than two hours without a break or at the Chairman's discretion and should not exceed 3 hours in total.
- (g) No matter, having been brought before the Council, discussed and resolved, shall be placed on the Council Agenda for discussion until six months has elapsed, from the date of its resolution.
- (h) Members may speak only once on a particular point, but with the permission of the Chairman, may speak, answer questions, make a personal explanation or make points of order. This shall apply at Council meetings.
- (i) The proposer of a motion to speak for no longer than three minutes and all other speeches to be no longer than three minutes. The proposer of the motion to be allowed two minutes for right of reply before the motion is put to the vote: the foregoing also applies to the proposer of any amendment to an original motion.

- (j) Members should request to speak by raising a hand and speak only at the direction of the Chairman.
- (k) Any member named in a speech by another member may have the immediate right to reply should he so request.
- (l) The Summons and Agenda of all meetings including Committee meetings shall be sent out five days before the date of the meeting and placed on a public notice board, with any additions or amendments following not less than three clear days before the meeting, with the exception of the Personnel Committee and Appeals Panel. Sub Committees need not be advertised. The Clerk shall issue the summons and agenda of an Ordinary Meeting of the Council to be held in accordance with the agreed calendar for the year. 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 of a bank holiday or a day appointed for public thanksgiving or mourning shall not count.**
- (m) Meetings, with the exception of Sub-Committees, Personnel Committee, Grievance Committee and Appeals Panel 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. (See Section 5 below).**
- (n)

4. Voting

- (a) **Subject to model standing order 12 (a) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.**
- (b) **Unless standing orders provide otherwise, voting on any question shall be by 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 question.** Such a request shall be made before the vote is taken and before moving on to the next item of business on the agenda.
- (c) **Subject to (i) and (ii) below the Chairman may give an original vote on any matter put to the vote, and in any case of an equality of votes may give a casting vote whether or not he gave an original vote.**
 - (i) 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.**
 - (ii) 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.**

5. Public Participation

- (a) Notice must be given up to midday of the day of the meeting to the Clerk in order to participate in an item on the agenda of the Council meeting or at the Chairman's discretion.
- (b) 8 days written notice to the Clerk must be given to request that an item be considered as an agenda item.
- (c) An individual can speak prior to the meeting for no longer than 3 minutes and may speak only once and address his comments to the Chairman.
- (d) The total time allocated to this item shall not exceed 15 minutes unless authorised by the Chairman.
- (e) The Chairman will call upon those wishing to speak in turn who will be invited to make a brief representation or to ask a question concerning agenda items of the Council.
- (f) Those wishing to speak should give their name and address for the record to the Clerk.
- (g) Those asking questions will not normally require an answer but the Chairman may direct that a response to a question posed by a member of public be referred to a Councillor for an oral response or an employee for a written response.
- (h) Council members will not enter into discussion with those asking questions at the meeting.
- (i) Following the public participation, attendees are asked to remain silent whilst the Council members consider their agenda items. Attendees are free to leave the room at any point but are asked to do so without causing disruption to the meeting.
- (j) A brief summary record of a public participation session at a meeting shall be included in the minutes of that meeting.

6. Order of Business

At every meeting other than the Annual Council Meeting the first business shall be to appoint a person to preside if the Chairman and the Vice-Chairman are absent.

After the first business has been completed at meetings other than the Annual Meeting, the order of business, unless the Council otherwise decides on the grounds of urgency, shall be as follows:

- (a) To receive apologies for absence, and to take a resolution to approve the reasons given.
- (b) To receive any declaration of interests for agenda items.
- (c) To co-opt any new members where applicable.
- (d) To approve and adopt the minutes as a correct record in accordance with Standing Order 7.
- (e) Special presentations. (The timing of such presentations shall be agreed between the Chair and the presenter before the meeting).
- (f) To receive reports from Principal Authority Members present (to include County and District Councillors).
- (g) To receive and consider reports from Officers of the Council.
- (h) To receive such communications and correspondence as the person presiding may wish to lay before the Council.
- (i) To receive reports and minutes of Committees. (Personnel Committee minutes will be received after a resolution has been passed to exclude the press and public).
- (j) To receive accounts for payment – see Standing Order 27(a) and (c).
- (k) To receive reports from Members representing the Council on outside bodies.
- (l) To consider resolutions and recommendations in the order that they have been notified to the Clerk.
- (m) Matters of report for the next meeting.

A motion to vary the order of business on the grounds of urgency may be proposed by the Chairman or by any member and put to the vote.

7. Minutes

- (a) The Chairman shall ask members to raise any points of accuracy, shall propose that the minutes of the council be approved as a correct record and seek a seconder.
- (b) The minutes of the meeting shall record the names of the Councillors present and absent.**
- (c) No motion or discussion shall take place upon the minutes except upon their accuracy.
- (d) The Chairman shall sign the minutes as instructed by Resolution of Council.

8. Extraordinary Meetings

- (a) The Chairman of the Council may convene an extraordinary meeting of the Council at any time on giving three clear days notice.**
- (b) If the Chairman of the Council does not or refuses to call an extraordinary meeting of the Council within 7 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 the time, venue and agenda for such a meeting must be signed by the two Councillors.**
- (c) The Chairman of a Committee (or sub-Committee) may convene an extraordinary meeting of the Committee or (sub-Committee) at anytime.
- (d) If the Chairman of a Committee (or a sub-Committee) does not or refuses to call an extraordinary meeting within 7 days of having been requested to do so by two members of the Committee (or sub-Committee), any two members may convene an extraordinary meeting of a Committee (or sub-Committee). The statutory public notice giving the time, venue and agenda showing the business to be transacted must be signed by those Councillors.

9. Committees and sub-Committees

- (a) The Council will, at its Annual Meeting, appoint Finance and Administration Committee and an Environmental and Planning Committee consisting of not less than five members plus the Chairman and Vice Chairman *ex officio* as voting members of the Committee. (see Appendices A and B for the list of Committee's responsibilities)
- (b) The Council will at its Annual Meeting, appoint a Personnel Committee, Grievance Committee and an Appeals Panel consisting of not less than three members. (see Appendices c and D for the list of Committee's responsibilities)
- (c) Each Committee shall, at its first meeting, before proceeding to any other business, elect a Chairman and Vice Chairman.
- (d) Unless the Council determines otherwise, a Committee may appoint sub-Committees whose terms of reference and members shall be determined by that Committee, such sub-Committees consisting

of not less than three members. Committees shall also have the power to appoint Working Parties as necessary, but subject to statutory provision:-

- Shall not appoint any member of a Sub-Committee or Working Party so as to hold office later than the next Annual Meeting.
- May at any time dissolve or alter the membership of a Sub-Committee or Working Party.
- (e) The members of a Sub-Committee or working party may include non-Councillors unless it is a Committee which regulates and controls the finances of the Council.
- (f) Chairs of Committees and sub-Committees shall, in the case of an equality of votes, have a casting vote.
- (g) Committees to meet in accordance with the schedule circulated by the Clerk every twelve months with possible amendments due to Councillor's or Officer's absence or illness.
- (h) Committees shall have powers as set out in the Terms of Reference. (see Appendices A,B,C & D)

10. Advisory Committees

- (a) The Council may create Advisory Committees, whose name and number of members and the bodies to be invited to nominate members shall be specified.
- (b) The Clerk shall inform the members of each Advisory Committee of the terms of reference of the Committee.
- (c) An Advisory Committee may make recommendations and give notice thereof to the Council.
- (d) **Unless the Council determines otherwise**, an Advisory Committee **and a Sub-Committee of the Advisory Committee** may consist wholly of persons who are not members of the Council.

11. Code of Conduct and Disorderly Conduct

- (a) All Councillors shall observe the Code of Conduct adopted by the Council.**
- (b) All members shall undertake training in the Code of Conduct within 6 months of the delivery of their declaration of acceptance of office.
- (c) Members with a disclosable pecuniary interest must leave the room or chamber during the relevant item of business, unless permitted to remain following the grant of a dispensation.**
- (d) The Code of Conduct adopted by the Council shall apply to all councillors in respect of the entire meeting.**
- (e) 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.**
- (f) No member shall at a meeting persistently disregard the ruling of the Chair, wilfully obstruct business, or behave irregularly, offensively, improperly or in such a manner as to bring the Council into disrepute.
- (g) If, in the opinion of the Chairman, a member has broken the provisions of paragraph "d" of this Order, the Chairman shall express that opinion to the Council and thereafter any member may move that the member named may no longer speak, or that the member named leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
- (h) If either of the motions mentioned in paragraph 11(f) is disobeyed, the Chairman may suspend the meeting or take such further steps as may reasonably be necessary to enforce them.**
- (i) Councillors may exercise the rights contained in standing order 11(j) below only if members of the public are permitted to (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted.**
- (j) Councillors with an interest in relation to any item of business being transacted at a meeting may (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted but must, thereafter, leave the room or chamber unless permitted to remain following the grant of a dispensation.**
- (k) Following a written request to the Clerk, the council may grant a member a dispensation to participate in a discussion and/or vote on a matter at the meeting even if s/he has any form of interest (disclosable pecuniary, other) if the Council believes that the number of members otherwise prohibited from taking part in the meeting would impede the transaction of the business; or it is in the interests of the inhabitants in the Council's area to allow the member to take part; or it is otherwise appropriate to grant a dispensation. The grant of a dispensation is automatically delegated to the Clerk and any dispensation may permit the member to speak, or to speak and vote.**
- (l) Unless authorised by a resolution, no Councillor shall issue orders or instructions.

12. Quorum

- (a) When the Council meets one third of its membership shall constitute a quorum.**
- (b) In the case of a Committee or sub-Committee a quorum shall be one half of its members rounded up to a whole number. The Chair and Vice Chair of Council, if in attendance, shall be counted towards a quorum.
- (c) In no case shall the quorum of a meeting be less than 3.**

- (d) **If a meeting is or becomes inquorate no business shall be transacted** and the meeting shall be adjourned. Any outstanding business of a meeting so adjourned shall be transacted at a following meeting.

13. Resolutions Moved on Notice

- (a) Except as provided by these Standing Orders, no resolution may be moved unless the business to which it relates has been put on the Agenda by the Clerk or the mover has given notice in writing of its terms and has delivered the notice to the Clerk at least five clear days before the next meeting of the Council.
- (b) The Clerk shall date every notice of resolution or recommendation when received and shall number each notice in the order in which it was received and shall enter it in a book which shall be open to the inspection of every member of the Council.
- (c) The Clerk shall insert in the summons for every meeting all notices of motion or recommendation properly given in the order in which they have been received unless the member giving a notice of motion has stated in writing that he withdraws it.
- (d) If a resolution or recommendation specified in the summons is not moved either by the member who gave notice of it or by any other member, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.
- (e) If the subject matter of a resolution comes within the province of a committee of the Council, it shall, upon being moved and seconded, stand referred, without discussion, to such committee or to such other committee as the Council may determine for report; provided that the Chair, if he considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.
- (f) **Every resolution or recommendation shall be relevant to some subject over which the Council has power or duties and jurisdiction which affects its area.**

14. Resolutions Moved Without Notice

Resolutions dealing with the following matters may be moved without notice: -

- (a) To appoint a Chairman of the meeting.
- (b) To correct the Minutes.
- (c) To approve the Minutes.
- (d) To alter the order of business.
- (e) To proceed to the next business.
- (f) To close or adjourn the debate.
- (g) To refer the matter to a committee, or refer back to reconsider a decision made by a committee see *footnote 1*
- (h) To appoint a committee or any members thereof.
- (i) To adopt a report.
- (j) To authorise the sealing of documents.
- (k) To amend a resolution.
- (l) To give leave to withdraw a resolution or an amendment.
- (m) To extend the time limit for speeches.
- (n) To exclude the press and public. (see Standing Order 23(a))
- (o) To silence or eject from the meeting a member named for misconduct. (See Standing Order 11(h).)
- (p) To give the consent of the Council where such consent is required by these Standing Orders.
- (q) **To suspend any Standing Order except those which are mandatory by law.** (see Standing Order 32)
- (r) To adjourn the meeting.

Footnote 1

In matters of Report (Reports from Committees) an objection to a decision made by a Committee must be in the form of a formal resolution and put to the vote. The motion can be a verbal one but it is good practice to submit a written well-thought out motion to the Clerk at the meeting eg This item must be referred back to the Committee for reconsideration; or this decision is objected to and must be rescinded.

15. Rules of Debate

No discussion of the Minutes shall take place except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chairman.

- (a) Resolutions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Chairman's discretion for reasons of expedience.
- (b) A resolution or amendment shall not be discussed unless it has been proposed and seconded, and, unless proper notice has already been given, it shall, if required by the Chairman, be reduced to writing and handed to him before it is further discussed or put to the meeting.
- (c) 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.

- (d) A member shall direct his speech to the question under discussion or to a personal explanation or to a question of order.
- (e) No speech by a mover of a resolution shall exceed 3 minutes and no other speech shall exceed 3 minutes except by consent of the Council.
- (f) An amendment shall be either:-
 - (i) To leave out words
 - (ii) To leave out words and insert others
 - (iii) To insert or add words
- (g) An amendment shall not have the effect of negating the resolution before the Council.
- (h) If an amendment be carried, the resolution, as amended, shall take the place of the original resolution and shall become the resolution upon which any further amendment may be moved.
- (i) A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
- (j) The mover of a resolution or of an amendment shall have a right of reply, not exceeding 5 minutes.
- (k) A member, other than the mover of a resolution, shall not, without leave of the Council, speak more than once on any resolution except to move an amendment or further amendment, or on an amendment, or on a point of order, or in personal explanation, or to move a closure.
- (l) A member may speak on a point of order or a personal explanation. A member speaking for these purposes shall be heard forthwith. A personal explanation shall be confined to some material part of a former speech by him, which may have been misunderstood.
- (m) A motion or amendment may be withdrawn by the proposer with the consent of the Council, which shall be signified without discussion, and no member may speak upon it after permission has been asked for its withdrawal unless such permission has been refused.
- (n) When a resolution is under debate no other resolution shall be moved except the following:-
 - (i) To amend the resolution
 - (ii) To proceed to the next business
 - (iii) To adjourn the debate
 - (iv) That the question be now put
 - (v) That a member named be not further heard
 - (vi) That a member named leaves the meeting
 - (vii) That the resolution be referred to a committee
 - (viii) To exclude the public and press
 - (ix) To adjourn the meeting
- (o) A member shall remain seated when speaking unless requested to stand by the Chairman
- (p) (i) The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed
 - (ii) Members shall address the Chairman. If two or more members wish to speak, the Chairman shall decide who to call upon.
 - (iii) Whenever the Chairman, or any member speaks during a debate, all other members shall be silent

16. Alteration of a Resolution

A member may with the consent of a seconder, move amendments to his own resolution.

17. Rescission of previous resolutions

- (a) A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months except either by a special motion, the written notice whereof bears the names of 4 members of the Council, or by a motion moved in pursuance of the report or recommendation of a Committee.
- (b) When a special motion or any other motion moved pursuant to Standing Order 17(a) above has been disposed of, no similar motion may be moved within a further 6 months.

18. Discussions on Resolutions affecting employees of the Council

If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service, of any person employed by the Council, it shall not be considered until the Council or Committee (as the case may be) has decided to exclude the press and public (see Standing Order 22).

19. Interests (An Interest is defined in the current Code of Conduct (Annexe 4) as adopted by the Council.)

- (a) If a member has an interest as defined by the Code of Conduct adopted by the Council then he shall declare such an interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required. If a member who has declared an interest as defined in the Code of Conduct, he can make the same representation as a member of the public, he then must withdraw from the room or chamber and not take part in the discussion, decision or voting. The Clerk shall record such interests as declared within the Minutes of any Meeting at which they are declared.

- (b) If a candidate for any appointment under the Council is to his knowledge related to any member or the holder of any office under the Council, he and the person to whom he is related shall disclose the relationship in writing to the Clerk. A candidate who fails so to do shall be disqualified for such appointment, and, if appointed, may be dismissed without notice. The Clerk shall report to the Council or to the appropriate Committee any such disclosure. Where relationship to a member is disclosed Standing Order 15(c) shall apply.
- (c) The Clerk shall make known the purport of this Standing Order to every candidate for such an appointment.

20. Canvassing of, and Recommendations by members

- (a) Canvassing of members of the Council or of any Committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make known the purport of this subparagraph of this Standing Order to every candidate.
- (b) A member of the Council or of any committee shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion. Nevertheless, any such member may give a written reference of a candidate's ability, experience or character for submission to the Council with an application for appointment.

21. Inspection of Documents

- (a) A member may for the purpose of his duty as such (but not otherwise), inspect any documents in possession of the Council or a committee, and if copies are available shall, on request, be supplied for the like purpose with a copy.
- (b) All minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council, or members of the public.
- (c) **All approved minutes kept by the Council and by a Committee shall be lodged with the Public Library, Williton, before the following meeting, for the inspection any member of the public, if they so require.**

22. Proper Officer

Where a statute, regulation or order confers function or duties on the Proper Officer of the Council, in the following cases, would be the Clerk or nominated officer.

- (a) The Proper Officer shall be either (i) the Clerk or (ii) other staff member nominated by the Council to undertake the work of the proper Officer when the proper Officer is absent.
- (b) To receive declarations of acceptance of office.
- (c) To receive and record notices disclosing interests at meetings.
- (d) To receive and retain plans and documents (to deal with accordingly).
- (e) To sign notices or other documents on behalf of the Council.
- (f) To receive **and retain** copies of bylaws made by another local authority.
- (g) To certify copies of bylaws made by the Council.
- (h) **To sign and serve on councillors by delivery, post or electronic mail at their residences a summons to attend meetings of the Council confirming the time, date, venue, agenda and all substantial documents (otherwise resolutions cannot be made) of a meeting of the Council or a Committee or sub-Committee at least 3 clear days before the meeting.**
- (i) **To give public notice of the time, date, venue and agenda at least 3 clear days before a meeting of the Council or a meeting of a Committee or sub-Committee.**
- (j) **Give public notice of the time, date, venue and agenda at least 3 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).**
- (k) The Proper Officer (Clerk) has delegatory powers to act on urgent business i.e. to action decisions made by Council and Committees in written and verbal form.
- (l) **Two members of the Council named in a resolution authorising the sealing of documents may sign on behalf of the Council any document required by law to be issued under seal and the Proper Officer may witness their signatures.**

23. Admission of the Public and Press to Meetings

- (a) The public shall be admitted to all meetings of the Council and its committees which may however, temporarily exclude the public by means of the following resolution, to be proposed by the Chairman and seconded:

“That 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. “

- (b) The Council shall state the special reason for exclusion.
- (c) **The Press shall be provided reasonable facilities for taking of their report for all or part of a meeting at which they are entitled to be present and an agenda for the monthly full Council meeting**

together with draft minutes of the previous meeting and Committee meetings, to which they were entitled to attend, shall be sent together with an invitation to attend.

- (d) A person may not orally report or comment about a meeting as it takes place if he is present at the meeting of the Parish Council or its Committees.
- (e) **Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is permitted unless the public are excluded by reason of the confidential nature of the business or where publicity would be prejudicial to the public interest. Exclusion of the public must be authorised by a resolution of the meeting and the reason for exclusion must be stated.** The public are requested to notify the Clerk if they intend to film a meeting in order that necessary arrangements can be made.
- (f) If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that he be removed from the meeting.

24. Confidential Business

- (a) No member of the Council or of any committee or sub committee shall disclose to any person, any business declared to be confidential by the Council, the committee or sub Committee as the case may be.
- (b) Any member in breach of the provisions of (a) of this Standing Order shall be removed from any Committee or sub committee of the Council by the Council

25. Liaison with County and District Councillors

A summons and agenda for the monthly Full Council meeting together with draft minutes of the previous meeting and Committee meetings, with the exception of Personnel, Grievance and Appeals, shall be sent together with an invitation to attend to the County and District Councillors for the appropriate division or ward where a report will be given and questions received.

26. Liaison with Outside Bodies

A summons and agenda for the monthly full Council meeting will be sent to appropriate outside bodies.

27. Standing Orders on Contracts

27.1 Contracts exceeding £10,000

- (a) Notice of a contract exceeding £10,000 shall state the general nature of the intended contract and state the name and address of the person to whom tenders are to be addressed and the last date by which those tenders should reach that person in the ordinary course of post.
- (b) A public notice of intention to place a contract to be placed in the local newspaper.
- (c) All tenders shall be opened by the Clerk with the Chairman of the appropriate Committee and/or the Chairman of Council only on the date specified pursuant to paragraph 27.1(a) of this Order and shall be reported by the Clerk to the Council or, where the tenders have been sought by a committee or sub committee, to that committee or sub committee. Each tender opened shall bear the date of opening and signatures of the Clerk and one member of the Council on the first page. Subsequent pages of each tender shall be initialled and dated by the Clerk and the aforementioned Councillor.
- (d) Neither the Council or any committee or sub committee is bound to accept the lowest tender but must justify such a decision with good and cogent reason.
- (e) If no tenders are received or if all the tenders are identical the Council may make such arrangements for procuring the goods or materials or executing the works as it sees fit.
- (f) A notice issued under this Standing Order shall contain a statement to the effect of Standing Orders No. 15(c) and 16.
- (g) A member of the Council may be nominated as clerk of works for all projects contracted by the Council.
- (h) The Council shall be indemnified against any contractor carrying out work on behalf of the Council.
- (i) **Financial regulations shall confirm that a proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £10,000 shall be procured on the basis of a formal tender as summarised in (j) below.**
- (j) Any formal tender process shall comprise the following steps:
 - (i) a public notice of intention to place a contract is 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 Clerk by the stated date and time
 - (iv) tenders submitted are to be opened, after the stating closing date and time by the Clerk and at least one member of the Council
 - (v) tenders are then to be assessed and reported to the Finance and Administration Committee.
- (k) The Committee is not bound to accept the lowest quote. Any tender notice shall contain reference to Standing Orders 20(b) and 21 above regarding improper activity.
- (l) **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.

27.2 Contracts less than £10,000

No less than three quotations should be obtained for the work and consideration given to the quotations by the Finance and Administration Committee for resolution by the Council.

27.3 Contracts less than £1000

Decisions relating to the number of quotations to be considered will be at the discretion of the Finance and Administration Committee depending on the nature of the work

28. Accounts and Financial Statements

- (a) The Council shall appoint appropriate staff member(s) to undertake the work of The Responsible Financial Officer when the Financial Officer is absent.
- (b) Except by statute, all accounts for payment and claims upon the Council shall be laid before the Council.
- (c) The Responsible Finance Officer shall supply to each member as soon as practicable after 31st March in each year a statement of receipts and payments for that year.
- (d) Orders of payment shall be authorised by resolution of the Council or Finance and Administration Committee and signed by two members.
- (e) In every year not later than the meeting at which the estimates for the next year are settled the Council shall review the pay and conditions of existing employees.
- (f) The financial regulations of the Council shall be subject to an annual review.**
- (g) Except as provided in paragraph (g) of this Standing Order or by statute, all accounts for payment and claims upon the Council shall be laid before the Council
- (h) Where it is necessary to make a payment before it has been authorised by the Council, an emergency amount to the value of £500 will be set within the budget.
- (i) All payments ratified under paragraph (g) of the Standing Order shall be separately included in the next schedule of payment before the Council.
- (j) The Responsible Financial Officer shall supply to each member as soon as practicable after 31st March in each year a statement of receipts and payments of the Council for the completed financial year. A Financial Statement prepared on the appropriate accounting basis for a year to 31st March shall be presented to each member before the end of the following month of May. The Statement of Accounts of the Council (which is subject to external audit) shall be presented to Council for formal approval before the end of June.
- (k) The Council shall approve written estimates for the coming financial year at its meeting in January
- (l) Any Committee desiring to incur expenditure shall give the Responsible Finance Officer a written estimate of the expenditure recommended for the coming year no later than October.
- (m) The Finance and Administration Committee shall consider and approve Financial Regulations drawn up by the Responsible Financial Officer. Such regulations shall include detailed arrangements for the following:
 - (i) the accounting records and system of internal control
 - (ii) the assessment and management of risks faced by the Council
 - (iii) the work of the internal auditor and the receipt of regular reports from the internal auditor, which shall be required at least annually
 - (iv) the financial reporting requirements of members and local electors.
 - (v) procurement policies (subject to 27.1(a) above) including the setting of values for different procedures where the contract has an estimated value less than £10,000.
 - (vi) 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.**

29. Code of Conduct on Complaints

- (a) The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or member in such a manner as adopted by the Council except for those complaints which should be properly directed to the Standards Committee of the District Council for consideration.
- (b) Upon notification by the District or Unitary Council that a Councillor or non-Councillor with voting rights has breached the Council's Code of Conduct, the Council shall consider what, if any, action to take against him/her. Such action excludes disqualification or suspension from office.**

30. Correspondence

All correspondence to the Council shall be addressed to the Clerk who shall keep a log of all correspondence. In the event of any member, including the Chairman receiving any Council related correspondence, it shall immediately be referred to the Clerk. (Please refer to the Office Procedures of the Council).

31. Planning Applications

The Clerk shall, as soon as it is received, enter in a book for the purpose the following particulars of every planning application notified to the Council.

- (i) the date on which it was received
- (ii) the name of the applicant
- (iii) the place to which it relates
- (iv) details of the proposal

32. Variation, Revocation and Suspension of Standing Orders

- (a) Any or every part of the Standing Orders except those identified in bold type may be suspended by a resolution in relation to any specific item of business.
- (b) A resolution to add, vary or revoke a Standing Order shall when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

33. Standing Orders to be given to Members

A copy of these Standing Orders shall be given to each member by the Clerk upon delivery to him of that member's declaration of acceptance of office.

34. Attendance and Disqualifications

If a member of a local authority fails throughout a period of six consecutive months from the date of his last attendance to attend any meeting of the authority, he shall, unless the failure was due to some reason approved by the authority before the expiry of that period, cease to be a member of the authority under the Local Government Acts. (Annexe 3)

35. Power of General Competence

- (a) Before exercising the power of general competence, 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.
- (b) The Council's period of eligibility begins on the date that the resolution under Standing Order 35(a) above was made and has to be renewed by Council resolution at the annual meeting of the Council that takes place in a year of ordinary elections.
- (c) 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 Standing Order 35(b) above.

36. Execution and Sealing of Legal Deeds

- (a) A legal deed shall not be executed on behalf of the Council unless authorised by a resolution**
- (b) Subject to standing order 36(a) above, any two Councillors may sign, on behalf of the Council, any deed required by law and the Clerk shall witness their signatures.**

36. Office Security and Key Holders

- (a) The Chairman and Vice-Chairman will each hold a key to the safe; the key to the store cupboard to remain in the Parish Office with only the Clerk and Deputy Clerk having access to the office.
- (b) A combination key safe, installed on the wall by the Parish Office door to hold a spare key to the office. The Clerk would hold the combination to the key safe.
- (c) In the event of the Chairman being on holiday, the keys the Chairman is in possession of will be passed to the Vice-Chairman for the duration of the time the Chairman is away.
- (d) The Chairman will hold keys for the Front Door, Side Door and the safe. For the memorial ground the Chairman will hold keys for the Changing Rooms, Robert Street entrance gate, Workshop and Memorial Shelter.
- (e) The Vice-Chairman will hold keys for the Front Door and the safe. For the memorial ground the Vice-Chairman will hold keys for the Changing Rooms, Robert Street entrance gate, Workshop and Memorial Shelter.
- (f) The Clerk will hold keys for the Front Door, Side Door, Office Door and key safe.
- (g) All keys covering the Memorial Ground will be kept in the Parish Office by the Clerk.

APPENDIX A TERMS OF REFERENCE FOR FINANCE AND ADMINISTRATION COMMITTEE

- 1 The Finance and Administration Committee (referred to as The Committee throughout Appendix A) will have power to spend within their designated budget and shall not exceed this sum.
- 2 The Committee will have power to approve cheques as budgeted to the maximum value on the Committee's annual budget statement. Any sums larger than this amount will need to seek Full Council approval.
- 3 The Committee will have the power to action items, if within budget, and submit for report only to the Parish Council – with the exception of Grant applications which need to be considered by Full Council.
- 4 The Committee is responsible for checking the accounts and ensuring that a completed statement of annual accounts is presented to each member of the Full Council by 30th June.
- 5 The Committee is responsible in ensuring that internal financial control systems are carried out and inspected by an internal auditor.
- 6 The Committee is responsible in approving the annual accounts for publication by 30th June at the latest.
- 7 The Committee is responsible in ensuring that a notice is placed on the notice board stating that a full set of audited annual accounts are available for inspection together with the first page of the accounts by 30 September at the latest.
- 8 The Committee should abide by the agreed set of Financial Regulations (Annexe 1) which needs to be reviewed annually.
- 9 The Committee is responsible for the presentation of the budget which is to be set out in detail including consideration for a contingency and must be approved by the Full Council.
- 10 The Committee is responsible for checking monthly (subject to conditions of clause 22) reports regarding receipts and payment in comparison with the current year's budget.
- 11 The Committee shall abide by the conditions set out within the Standing Orders in particular with regards to tendering and the signing of cheques.
- 12 The Committee shall not be responsible for setting the precept or for borrowing money. This shall be approved by the Council.
- 13 The Committee shall not be responsible for electing Committee members and the election of Committee members must take place annually by the Council. Any vacancies occurring within the year must be filled by the Council.
- 14 The elected Committee members will elect their Chairman and Vice Chairman at their first meeting after the Council's Annual Meeting in May.
- 15 The Committee is responsible for maintaining the Risk Register and the Asset Register. These will need to be reviewed annually.
- 16 The Committee is responsible for keeping a Records Retention Schedule (Annex 2) and adopting its policy.
(NEED TO CLARIFY)
- 17 The Committee is responsible for reviewing annually, no later than the meeting that settles the following year's budget, the pay and conditions of service of existing employees.
- 18 The Chairman or Vice Chairman of the Committee will be responsible for drawing up the agendas with the Clerk.
- 19 The Committee has the power to hold additional meetings provided the Clerk has been notified with at least one week's notice.
- 20 The Chairman and Vice Chairman of the Council may attend the Committee and will have power of voting. Non-members of the Committee may attend meetings and speak but will not have powers to vote.
- 22 The Committee will meet monthly with the exception of the months of August and December.

APPENDIX B TERMS OF REFERENCE OF ENVIRONMENT AND PLANNING COMMITTEE

- 1 The Environment and Planning Committee (referred to as The Committee throughout Appendix B) will have power to spend within their designated budget and shall not exceed this sum.
- 2 The Committee will have power to approve cheques to the maximum value on the Committee's annual budget statement. Any sums larger than this amount will need to seek the Council's approval.
- 3 The Committee is responsible for advising the Finance and Administration Committee of any potential shortfalls or overspends as soon as is practicable.
- 4 The Committee shall not be responsible for electing Committee members and the election of Committee members must take place annually by the Council. Any vacancies occurring within the year must be filled by the Council.
- 5 The elected Committee members will elect their Chairman and Vice Chairman at their first meeting after the Council's Annual Meeting in May.
- 6 The Committee will take responsibility for Council decisions in matters relating to planning applications. Any application can be referred to the Council if it is considered to be appropriate or a request from Full Council is received. If applications need to be considered during August and December, when the Committee does not meet, or due to time restriction, they can be addressed at the Parish Council meetings.
- 7 The Committee is responsible for ensuring that all planning applications are set out in detail on the agenda and 3 clear days notice is given to the public. A system of reserved dates should be applied in cases of late applications.
- 8 All planning items will be placed at the end of the agenda to enable members declaring interest to leave the meeting if appropriate.
- 9 The Committee is responsible for ensuring that a detailed log of planning applications are kept and that all observations are returned to the District Council within the specified period as set down in the Standing Orders.
- 10 The Committee is responsible for making decision concerning works and other matters relating to property or land which is wholly or partly the responsibility of the Council.
- 11 The Committee is responsible for overseeing works and other matters it has approved and to ensure that they are carried out satisfactorily.
- 12 The Committee is responsible for all matters relating to leased properties of the Council including the renewal of existing leases. Any new leases for consideration should be approved by the Council.
- 13 The Committee is responsible in making decisions on behalf of the Council concerning highway matters within the Parish of Williton.
- 14 The Committee is responsible in making decisions on behalf of the Council on matters relating to footpaths.
- 15 The Chairman or Vice Chairman of the Committee will be responsible for drawing up the agendas with the Clerk.
- 16 The Committee will have powers to hold additional meetings provided the Clerk has been notified with at least one week's notice.
- 17 The Chairman and Vice Chairman of the Council may attend the Committee and will have power of voting. Non-members of the Committee may attend meetings and speak but will not have powers to vote.
- 18 The Committee will meet monthly with the exception of the months of August and December.
- 19 The Committee will have the power to action items, if within budget, and submit for report only to the Parish Council – with the exception of Grant applications which need to be considered by Full Council.

APPENDIX C TERMS OF REFERENCE PERSONNEL COMMITTEE

- 1 The Personnel Committee will elect their Chairman at their first meeting of the year.
- 2 The Personnel Committee is responsible for setting out contracts of employment for all employees and ensuring that payments are kept up to date with the Inland Revenue.
- 3 The Personnel Committee is responsible for undertaking regular appraisals of the staff.
- 4 The Personnel Committee is responsible for all matters relating to the appointments of staff.
- 5 The Personnel Committee will meet at least twice a year with additional meetings as necessary.
- 6 The Committee shall not be responsible for electing Committee members and the election of Committee members must take place annually by the Council. Any vacancies occurring within the year must be filled by the Council.
- 7 Non-members of the Committee may not attend the meeting without receiving an invitation from the Chairman of the Committee.

APPENDIX D TERMS OF REFERENCE APPEALS PANEL

- 1 The Committee shall not be responsible for electing Panel members and the election of Panel members must take place annually by the Council. Any vacancies occurring within the year must be filled by the Council.
- 2 The elected Appeals members will elect their Chairman at their first meeting, to be held within one month, after the Council's Annual Meeting in May.
- 3 The Appeals Panel is responsible for hearing Staff and Councillors appeals.
- 4 Non-members of the panel may not attend the meetings without receiving a written invitation from the Chairman of the Appeals panel.
- 5 The Panel have the power to appoint HR services where necessary and report back to Full Council.
- 6 The Panel have the power to employ an outside Clerk if deemed necessary and report back to Full Council.

APPENDIX E TERMS OF REFERENCE EVENTS SUB COMMITTEE

- 1 The Events Sub Committee will elect their Chairman at their first meeting – the Chairman will be a Parish Councillor.
- 2 In the event of the absence of the Chairman, the meeting will be chaired by another Parish Councillor present.
- 3 The purpose of the Events Sub Committee will be to organise village events, to include but not limited to, the Christmas Festival.
- 4 All events will be subject to agreement of the Council
- 5 Any expenditure or use of equipment will need the authorisation from the Council.
- 6 The members of the Sub-Committee may include non-Councillors as it will not regulate or control the finances of the Council; however, it must include one Councillor.