

Redmarshall Parish Council Policies and Procedures Standing Orders – Minute 3/07/07	
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1) Meetings

Meetings will take place on the second Monday of every month (excluding August) at the Carlton Methodist Chapel Schoolroom starting at 18:30.

The Statutory Annual Meeting

- a) in an election year shall be held on the first monthly meeting following seven days after the announcement of the election results.
- b) in a year which is not an election year shall be held on the second Monday in May.

2) Chairman of Meeting

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

3) Proper Officer

Where a statute, regulation or order confers functions or duties on the proper officer of the Council that person shall be the clerk.

4) Quorum

Three active members shall constitute a quorum. Any councilor who declares an interest can not be counted for quorum purposes.

5) Voting

Members shall vote by show of hands.

If a member so requires, the clerk shall record the names of the members who voted on any question so as to show whether they voted for or against it. The Chairman may give an original vote on any matter put to the vote, and in case of an equality of votes may give a casting vote even though he gave no original vote.

If the person presiding at the annual meeting would have ceased to be a member of the council but for the statutory provisions which preserve the

membership of the Chairman and Vice-Chairman until the end of their term of office he may not give an original vote in an election for Chairman. The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.

At each Annual Meeting the first business shall be:

- a) To elect a chairman.
- b) To receive the Chairman's declaration of acceptance of office or if not then received, to decide when it shall be received.
- c) In the ordinary year of election of the Council to fill, if possible, any vacancies left unfilled at the election by reason of insufficient nominations.
- d) To decide when any declaration of acceptance of office which have not been received as provided by law shall be received.
- e) To elect a Vice-Chairman

At every meeting other than the Annual Meeting the first business shall be to appoint a Chairman if the Chairman and Vice-Chairman be absent and to receive such declarations of acceptance of office (if any) as are required by law to be made, or if not then received to decide when they shall be received.

After the first business has been completed, the order of business, unless the Council otherwise decides on the ground of urgency, shall be as follows:

- a) To read and consider the Minutes: provided that if a copy has been circulated to each member not later than the day of issue of the summons to attend the meeting, the Minutes may be taken as read.
- b) After consideration to approve the signature of the Minutes by the person presiding as a correct record.
- c) To deal with business expressly required by statute to be done.
- d) A specimen Agenda is attached at Appendix 1

A motion to vary the order of business on the ground of urgency may be proposed by the Chairman or by any member and, if proposed by the Chairman, may be put to the vote without being seconded, and shall be put to the Vote without discussion.

6) Resolutions Moved on Notice

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 7 clear days before the next meeting of the Council.

The Clerk shall insert in the summons for every meeting all notices of motion or recommendation properly given.

Every resolution or recommendation shall be relevant to some subject over which the Council has power or which affects its area.

7) Rules of Debate

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

A resolution or amendment shall not be discussed unless it has been proposed, 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.

During discussions the Chair may invite comments or questions from the public.

8) Disorderly Conduct

No member shall at a meeting persistently disregard the ruling of the Chairman, wilfully obstruct business, or behave irregularly, offensively, improperly or in such a manner as to scandalise the Council or bring it into contempt or ridicule.

If, in the opinion of the Chairman, a member has broken the provisions of paragraph (a) of this Order, the Chairman shall express that opinion to the Council and thereafter any member may move that the member named be no longer heard or that the member named to leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion.

If either of the motions mentioned in the paragraph above is disobeyed, the Chairman may suspend the meeting or take such further steps as may reasonably be necessary to enforce them.

9) Discussions and Resolutions Affecting Employees of the Council

If at a meeting there arises any question related to the appointment, conduct, promotion, dismissal, salary or condition 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 whether or not the public shall be excluded.

10) Expenditure

Orders for the payment of money shall be authorised by resolution of the Council and signed by two members.

- The Clerk will complete the name, date and amount on the cheque before issuing it.
- A receipt for the same amount as the cheque shall be filed.
- Only items purchased for the Parish Council should be on the receipt.
- Any cheque not used should be returned to the Clerk who will write 'Cancelled' across it and retain it in the account book.

11) Accounts and Financial Statement

- a) Except as provided in paragraph 11b of this Standard Order or by statute, all accounts for payments and claims upon the Council shall be laid before the Council.
- b) Where it is necessary to make a payment before it has been authorised by the Council, such payment shall be certified as to its correctness and urgency by the Clerk to the Council. Such payment shall be

- authorised by the Clerk after consultation with the Chairman or Vice-Chairman of the Council.
- c) All payments ratified under sub-paragraph (b) of this Standing Order shall be separately included in the next schedule of payments laid before the Council.
 - d) The Responsible Financial Officer (RFO) will maintain proper records of all transactions on a receipt and payment basis.
 - e) The RFO will prepare a monthly statement of income and expenditure for submission to the Council. Full annual accounts will be prepared and submitted to the Council as soon as possible after the financial year ends.
 - f) The RFO is responsible for the preparation of the annual budget for approval by the Parish Council. Revenue and capital budgets will be prepared where necessary.
 - g) The full Council will consider, approve, and adopt the budget and authorise the issue of a precept at its January meeting.
 - h) The RFO will be responsible for ensuring that the Parish Council comply with the Accounts and Audit Regulations 1996 or any amendment thereof including making available for 15 working days prior to audit the accounts and other documents required for the accounts prior to audit.

12) Code of Conduct

The Parish Council have signed and agreed the Model Code of Conduct Order 2007 in regard to the conduct which is expected of members and co-opted members of the Parish Council. Under section 51 of the Local Government Act 2000, each authority must adopt a code of conduct applying to its members which must incorporate any mandatory provisions of the model code.

Redmarshall Parish Council have agreed that under Paragraph 12 of the Code of Conduct members of the public will be allowed to make representations, give evidence or answer questions on a matter under discussion.

In the **Schedule to the Order**,

***Paragraph 1** of the Code provides that the Code applies to any member of an authority and that it is the responsibility of each member to comply with the Code.*

***Paragraph 2** of the Code provides that the Code applies whenever a member is acting in his or her official capacity, and in relation to conduct in a member's private capacity the code only applies where such conduct has resulted in a criminal conviction. Additionally, where a member is acting as a representative of his or her authority, he or she must continue to observe the authority's code, unless he or she is subject to another relevant authority's code, or unless (in relation to any other body) it conflicts with any other legal obligations.*

***Paragraph 3** of the Code provides that members must treat others with*

respect and not do anything which may cause their authority to breach equality legislation, or which compromises the impartiality of those who work for the authority or bully anyone or intimate persons involved in code of conduct cases.

Paragraph 4 of the Code provides that members must not without consent disclose confidential information they have acquired and must not prevent others from gaining access to information to which they are entitled.

Paragraph 5 of the Code provides that a member must not conduct himself or herself in a manner which could bring his or her authority into disrepute.

Paragraph 6 of the Code provides that a member must not use his or her position improperly to gain an advantage or confer a disadvantage and that when using or authorising the use of the authority's resources, he or she must act in accordance with the authority's reasonable requirements, must not permit those resources to be used for political purposes and must have regard to the Local Authority Code of Publicity.

Paragraph 7 of the Code provides that a member must have regard to advice given by the chief finance officer and monitoring officer and must give reasons for decisions made.

Paragraph 8 of the Code provides a list of matters which constitute a personal interest.

Paragraph 9 of the Code provides that generally a member with a personal interest in any business of his or her authority must disclose that interest at any meeting at which the business is considered.

Paragraph 10 of the Code provides that generally a member with a personal interest also has a prejudicial interest if the interest could be regarded by a member of the public as so significant that it is likely to prejudice his or her judgement of the public interest. The paragraph provides that in specified circumstances a member may regard himself as not having a prejudicial interest.

Paragraph 11 of the Code provides that a member who was involved in making a decision or taking action on a matter must not be involved in the overview and scrutiny committee's consideration of that decision or action.

Paragraph 12 of the Code provides that a member with a prejudicial interest must, unless, for example, he or she is making representations and members of the public are also allowed to make representations on that matter, or he or she has obtained a dispensation, withdraw from any meetings at which the business is being considered, and must not improperly influence decisions in relation to the business.

Paragraph 13 of the Code provides that a member must notify the

monitoring officer of his or her personal interests and any change to those interests must also be notified.

Paragraph 14 of the Code provides that a member may notify the monitoring officer of any sensitive information the availability of which to the public creates, or is likely to create, a serious risk that the member or a person who lives with him or her may be subjected to violence or intimidation.

The Clerk shall make known the purport of this Standing order to every candidate.

13) Canvassing of and Recommendations by Members

Canvassing of members of the Council, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make known the significance of this paragraph of the Standing Order to every candidate.

A member of the Council shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but, nevertheless, any such member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.

14) Inspection of Documents

A member may, for the purpose of his duty as such (but not otherwise), inspect any document in possession of the Council, and if copies are available shall, on request, be supplied for the like purpose with a copy.

All Minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council.

15) Admission of the Public and Press to the Meetings

The public shall be admitted to all meetings of the Council and its committees and sub-committees, which may, however, temporarily exclude the public by means of the following resolution.

"That in view of the [special] [confidential] nature of the business about to be transacted, it is advisable in the public interest that the public be temporarily excluded and they are instructed to withdraw".

(Notes: The special reasons should be stated. If a person's advice or assistance is needed they may be invited (by name) to remain after the exclusion resolution passed.)

The Clerk shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present.

If a member of the public interrupts the proceedings at any meeting, the chairman may, after warning, order that he be removed from the Council Chamber.

16) Confidential Business

No member of the Council or of any committee or sub-committee shall disclose to any person not a member of the Council any business declared to

be confidential by the Council, the committee or the sub-committee as the case may be.

Any member in breach of the provisions of this standing order shall be removed from any committee or sub-committee of the Council by the Council.

17) Liaison with Ward Councillors

A notice of meeting shall be sent together with an invitation to attend to the Ward Councillor.

18) Standing Order on Contracts

Where a single project is for more than £500.00 the Parish Council will endeavour to get three quotes from suppliers.

- The Parish Council is not bound to accept the lowest tender.
- 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 thinks fit.

19) Code of Conduct on Complaints

The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or member in the manner recommended in the Model Code of Conduct 2001.

20) Variation, Revocation and Suspension of Standing Orders

A resolution permanently 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.

21) 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 the member's declaration of acceptance of office.

REDMARSHALL PARISH COUNCIL

Parish Council Meeting.
To be held on Monday [Day, Month, Year].
The Methodist Chapel Schoolroom, Carlton at 6.30 p.m.

AGENDA

1. Apologies
2. Declarations of Interest
3. Minutes of meetings held on [*Date of previous meeting*] to be read and signed.
4. Matters arising.
5. Finance:

Cheques -	Clerk payment	£75.00
	Insurance	£288.00
Petty Cash	Balance	£6.76
Budget Sheet		

6. Planning application] 06/0999/FUL [*Address & brief description of*]
7. The Green Planning Applications
 Village Green Registration
 Enforcement Action
 Open Spaces Society
8. Correspondence [Main items which may require discussion should
 be listed]
 Mr F. Cook MP
 Parish Liaison Meeting – 7th October
 Licencing Times
 C144 Road Name (Carlton to Redmarshall)
9. Any other business.

Date of next meeting - Monday [*Day, Month, Year*]. Agenda items to the Clerk by [*meeting date – 7 days*].

Open Forum

Chris Cooke

Parish Clerk 2/3/09
