

STANDING ORDERS FOR COLLINGBOURNE DUCIS PARISH COUNCIL

It having been received under agenda item number 1593.02 during the proceedings of the Council held on 5th September 2002 to adopt the form of Standing Orders prescribed by the National Association of Local Councils, the members of the Council are requested to note the following items pertaining to the Orders in respect of the Council's own procedure.

1. MEETINGS

The Statutory Annual Meeting (a) in an election year shall be held on or within 14 days following on which councillors elected take office (b) in a year which is not an election year shall be held on the first Thursday in May.

In addition to the Statutory Annual Meeting at least three other statutory meetings shall be held on the first Thursday in the months of March, September and January. Budgets for the following financial year shall be set by the end of the January meeting.

At least two additional full council meetings shall be held on the first Thursday in the months of July and November.

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, the Clerk to the Council is authorised in the following cases:

- To receive declarations of office
- To receive and record notices disclosing pecuniary interests
- To receive and retain plans and documents
- To sign notices or other documents on behalf of the Council
- To receive copies of bylaws made by a District Council
- To certify copies of bylaws made by the Council
- To sign summonses to attend meetings of the Council

4. QUORUM

Three members or one third of the total membership, which ever is the greater shall constitute a quorum.

If a quorum is not present when the Council meet, or if during a meeting the number of councillors present and not debarred by reason of a declared pecuniary interest falls below the quorum, the business not transacted at that meeting shall be transacted at the next meeting, or on such other day as the Chairman may fix.

5. VOTING

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. Such a request may be made before or after the vote but in any event before moving on to the next business.

(1) Subject to (2) and (3) below the Chairman may give an original vote on any matter put to the vote, and in the cast of an equality of votes may give a casting vote even though he gave no original vote.

(2) 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 their office he may not give an original vote in an election for Chairman.

(3) The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.

6. ORDER OF BUSINESS

(In an election year councillors should execute Declarations of Acceptance of Office in each others presence, or in the presence of a proper officer previously authorised by the Council to take such declaration, before the annual meeting commences.)

At each Annual Meeting the first business shall be:

To elect a Chairman

To receive the Chairman's declaration of acceptance of office or, if not then received, to decide when it shall be received.

In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.

To decide when any declarations of acceptance of office and written undertakings to comply with the Code of Conduct adopted by the Council which have not been received as provided by law shall be received.

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:

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.

After consideration to approve the signature of the Minutes by the person presiding as a correct record.

To deal with business expressly required by statute to be done.

To dispose of business, if any, remaining from the last meeting

To receive such communications as the person presiding may wish to lay before the Council

To answer questions from Councillors

To receive and consider reports and minutes of committees

To receive and consider reports from officers of the council

To authorise the sealing of documents

To consider resolutions or recommendations in the order in which they have been notified

Any other business specified in the summons

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.

7. 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 in 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 14 clear days before the next meeting of the Council.

8. VOTING ON APPOINTMENT

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.

9. RESOLUTIONS ON EXPENDITURE

Any resolution which is moved (otherwise than in pursuance of a recommendation of the Finance and Property Committee or of another committee after recommendation by the Finance and Property Committee) and which, if carried would, in the opinion of the Chairman, substantially increase the expenditure upon any service, which is under the management of or reduce the revenue at the disposal of any committee, or which would involve unbudgeted capital expenditure, shall, when proposed and seconded, stand adjourned, without discussion to the next ordinary meeting, and any committee affected by it shall consider whether it desires to report thereon, and the Finance and Property Committee may be required by the Council to report on the financial aspect of the matter.

10. FINANCIAL STANDING ORDERS

All Financial matters shall be dealt with in accordance with the Council's then current Financial Standing orders. In the event of a conflict between these Standing Orders and the Financial Standing Orders, the Financial Standing Orders shall take precedence.

11. ESTIMATES

The Council shall approve written estimates for the coming financial year not later than the meeting in the month of January. Any committee desiring to incur expenditure shall not later than 2nd December give to the Clerk a written budget for the expenditure recommended for the coming year.

12. COMMITTEES AND SUB-COMMITTEES

The Chairman and Vice-Chairman ex officio shall be members of every committee.

The Council may at its Annual Meeting appoint standing committees and may at any other time appoint such other committees as are necessary. At the same meeting a Chairman and Vice-Chairman shall be elected for each committee, who shall hold office until the next Annual Meeting of the Council, and may settle its programme of meetings for the year.

The Chairman of a committee or the Chairman of the Council may summon a meeting of that committee at any time. A meeting shall also be summoned on the requisition in writing of not less than a quarter of the members of the committee. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.

The Chairman of the Committee or the clerk shall be responsible for notifying all Committee members of meetings, and ensuring that they are held at accessible times and venues. Minutes

of the proceedings recording official acts and decisions, must be retained by the clerk. Where appropriate individual Committee members may be allocated specific monitoring duties. These details must be retained in a specific file and available to the Public on request.

Every committee may appoint sub-committees or working groups for the purposes to be specified by the committee. The Chairman and Vice-Chairman shall be members of every sub-Committee appointed by it unless they signify that they do not wish to serve.

Except where ordered by the Council in the case of a committee, or by the Council or by the appropriate committee in the case of a sub-committee, the quorum of a committee or sub-committee shall be one-half of its members.

13. DUTIES OF COMMITTEES

Finance and Property Committee:

The committee shall consist of not less than 5 councillors including the Chairman and Vice Chairman of the Parish Council.

The Chairman of Finance and Property shall:

Convene meetings of the Finance and Property Committee as and when appropriate

Maintain records of all committee proceedings

Act as one of the approved signatories for cheques.

Update the Council at each meeting on property matters.

Planning Committee:

The committee shall consist of not less than 5 councillors including the Chairman and Vice Chairman of the Parish Council.

The Chairman of Planning may:

Call together a planning panel of not less than four councillors, drawn from members of the planning committee and other councillors, in order to respond to requests for comment from Wiltshire Council or other Councils regarding planning applications within the Parish.

The Chairman of Planning shall:

Report at each Parish Council meeting on action taken by the committee.

Consider all appeals received and ensure comments are retained on file.

Prepare an Annual Report

14. VOTING IN COMMITTEES

Members of committees and sub-committees entitled to vote shall vote by show of hands or, if at least two members so request, by signed ballot. Chairmen of committees and sub-committees shall in the case of an equality of votes have a second or casting vote

15. PRESENCE OF NON-MEMBERS OF COMMITTEES AT COMMITTEE MEETINGS

A member who has proposed a resolution, which has been referred to any committee of which he is not a member, may explain his resolution to the committee but shall not vote.

16. INTERESTS

If any member has a personal interest as defined by the Code of Conduct adopted by the council on 10th May 2007 then he shall declare such interest as soon as it becomes apparent, disclosing the nature and extent of that interest as required.

If a member who has declared a personal interest then considers the interest to be prejudicial he must withdraw from the meeting during consideration of the item to which the interest relates.

17. DISORDERLY CONDUCT

All members must behave in a manner required by the Code of Conduct which was adopted by the Council on 10th May 2007.

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 scandalise the Council or bring it into contempt or ridicule.

18. INSPECTION OF DOCUMENTS

All Minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council and the Public by arrangement with the Chair or the Parish Clerk.

19. ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

The public shall be admitted to all meetings of the Council and its committees and sub-committees and may be invited to speak during the Adjournment for public comments/questions. They may, however, be temporarily excluded 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 is 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.

20. DELEGATION TO THE CLERK

The Council delegates to the Clerk the power to act on behalf of the Council in an emergency; for example on Health and Safety matters, or in order to protect a member from acting unlawfully.

The Council further delegates to the Clerk the power to respond to non contentious planning applications on behalf of the Council; for example, applications for tree lopping or minor building works.

The following functions may be delegated by the Council to either the Clerk or to the Finance and Property Committee:

Ensure that a precept is prepared for submission to the Parish Council at the January meeting.

Report at each Council meeting on the Council's finances.
Prepare and present an Annual Financial Report
Prepare an annual inventory of property
Ensure all items of Council property are adequately insured
Obtain tenders yearly or as agreed in Council for the maintenance of all Parish Property
Ensure the Parish Burial Ground records are kept up-to-date and review burial charges annually.

21. CODE OF CONDUCT ON COMPLAINTS

The Council shall deal with complaints of misadministration allegedly committed by the Council or by any officer or member in such a manner as adopted by the Council except for those complaints that should be properly directed to the Standards Board for consideration.

22. STANDING ORDERS TO BE GIVEN TO MEMBERS

A copy of these Standing Orders shall be given to each member by the Clerk on receipt of the member's declaration of acceptance of office.

Index of Standing Orders

Meetings	1
Chairman of Meeting	2
Proper Officer	3
Quorum	4
Voting	5
Order of Business	6
Resolutions moved on Notice	7
Voting on Appointment	8
Resolutions on Expenditure	9
Expenditure	10
Estimates	11
Committees and Sub-Committees	12
Duties of Committees	13
Voting in Committees	14
Presence of non-members of committees at committee meetings	15
Interests	16
Disorderly Conduct	17
Inspection of Documents	18
Admission of Public and Press to Meetings	19
Delegation of Functions	20
Code of Conduct on Complaints	21
Standing Orders to be given to Members	22

6th May 2010