

## **KIMPTON PARISH COUNCIL Standing Orders**

### **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.

#### Proper Officer

Where a statute, regulation or order confers functions or duties on the proper officer of the council in the following cases, that person shall be the Clerk:

1. To receive declarations of acceptance of office
2. To receive and record notices disclosing pecuniary interests
3. To receive and retain plans and documents
4. To sign notices or other documents on behalf of the council
5. To receive copies of byelaws made by a district council
6. To certify copies of byelaws made by the council
7. To sign summonses to attend meetings of the council

### **Quorum**

Three members shall constitute a quorum, but a motion to suspend standing orders shall not be moved without written notice signed by twice as many members as constitute the quorum.

If a quorum is not present when the council meets or if during a meeting the number of Councillors present 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 shall fix.

### **Voting**

Members shall vote by show of hands or, if at least two members so request, by signed ballot.

The Chairman may give an original vote on any matter put to the vote, excepting the election Chairman. In any case of an equality of votes the Chairman may give a casting vote.

### **Order of Business**

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) To elect a Vice-Chairman
- (d) To appoint sub-committee and Chairmen of said committees

At every meeting other than the Annual Meeting the first business shall be to appoint a Chairman if the Chairman and Vice-Chairman are absent and do not arrive within 15 minutes of advertised time.

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

- (a) To read and consider the minutes, provided that 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 presiding Chairman as a correct record.
- (c) To deal with business expressly required by statute to be done.
- (d) To receive such communication as the presiding Chairman may wish to lay before the Council.

To answer questions.

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

To receive and consider reports and minutes of committees and advisory committees. To receive and consider reports from officers of the council.

To authorize the sealing of documents.

To authorize the signing of orders for payment.

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

Any other business to include only those items notified to the Chairman or Clerk prior to the commencement of the meeting.

A motion to vary the order of business on the grounds of urgency:

- (a) 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
- (b) shall be put to the vote without discussion.

### **Resolution Moved on Notice**

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

### **Questions**

- (a) A member may ask the Chairman any question concerning the business of the Council.
- (b) A member with or without notice may ask the Chairman of a Committee any question upon the proceedings of the Committee.
- (c) Every question shall be put and answered without discussion.

### **Rules of Debate**

- (a) No discussion shall take place upon the Minutes except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialized by the Chairman.
- (b) A resolution or amendment shall not be discussed unless it has been proposed and seconded.
- (c) A member shall direct his speech to the question under discussion or to a personal explanation or to a question of order,
- (d) The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed.
- (e) Members shall address the Chairman.
- (I) If two or more members rise, the Chairman shall call upon one of them to speak and the others shall resume their seats.

### **Disorderly Conduct**

- (a) No member shall misconduct himself at a meeting by persistently disregarding the ruling of the Chairman, by willfully obstructing business, or by behaving irregularly, offensively, improperly or in such a manner as to scandalize the Council or bring it into contempt or ridicule.
- (b) If, in the opinion of the Chairman, a member has so misconducted himself, 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 should leave the meeting, and the motion, if seconded, shall be put forth with and without discussion.
- (c) If either of the motions mentioned in paragraph (b) is disobeyed, the Chairman may suspend the meeting or take such further steps as may reasonably be necessary to enforce them.

### **Recession of Previous Resolution**

- (a) A decision (whether affirmative or negative) of the Council shall not be reversed within six months save by a special resolution, the written notice whereof bears the names of at least four members of the Council.
- (b) When a special resolution has been disposed of, no similar resolution may be moved within a further six months.

### **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 favor 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 favor of one person.

### **Discussions and 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 whether or not the public shall be excluded.

### **Expenditure**

Orders for the payment of money shall be authorized by resolution of the Council and signed by two signatures.

### **Committees and Sub-Committees**

The Chairman and Vice-Chairman shall be members of every Committee.

Accounts and Financial Statement

- (a) Except as provided in paragraph (b) of this Standing Order or by statute, all accounts for payment and claims upon the Council shall be laid before the Council.
- (b) Where it is necessary to make a payment before it has been authorized by the Council, such payment shall be certified as to its correctness and urgency by the appropriate officer. Unless it has been otherwise authorized by the Council, payment shall be authorized by the Committee, if any, having charge of the business to which it relates or by the Chairman or Vice-Chairman of the Council.
- (c) The Clerk shall supply to each member at the ordinary meeting next after the end of the Financial Year a statement of receipts and payments.

If a member has a personal interest as defined by the code of conduct adopted by the council, then he shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required.

If a member who has not declared a personal interest then considers the interest to be prejudicial, he must withdraw from the room or chamber during consideration of the item to which the interest relates.

The Clerk shall record in a book to be kept for the purpose, particulars of any notice given by any member or any officer of the Council of a pecuniary interest in a contract, and the book shall be open during reasonable hours of the day for inspection by any member.

### **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 or a committee, and if copies are available shall, on request, be supplied for the like purpose with a copy.

- (a) All minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council.
- (b) The minutes of the Council shall be open to inspection by any elector at the convenience of the Clerk.

### **Unauthorized Activities**

No member of the council or of any committee or sub-committee shall in the name of or on behalf of the council;

- (a) Inspect any lands or premises which the Council has a right or duty to inspect; or
- (b) Issue orders;
- (c) Unless authorized to do so by the Council or the relevant committee or sub-committee.

### **Admission of the Public and Press to Meetings**

The public and the press shall be admitted to all meetings of the Council and its committees and subcommittees, which may, however, temporarily exclude the public or the press or both by means of the following resolution, viz:

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

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 or she be removed from the Council Chamber or that the part of the Chamber open to the public be cleared.

### **Confidential Business**

- (a) 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.
- (b) Any member in breach of the provisions of paragraph (a) of this Standing Order shall be removed from any committee or sub-committee of the Council by the Council.

### **Liaison with County and District Councillors**

A notice of meeting shall be sent together with an invitation to attend to the County Councillor for the division and to the Borough Councillors.

**Planning Applications**

The Clerk shall refer every planning application to the Chairman of the Planning Committee as soon as possible following receipt.

**Contracts**

The price limit for obtaining more than one quote for a contract is £500 and the price limit for obtaining sealed bids is £10,000.

**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 by the National Association of Local Councils.

**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.

Each Councillor will be required to sign and agree to the terms of the Standing Orders at the first opportunity or Parish Council meeting following an election of Councillors and provide a signed copy to the Parish Clerk by the date of the first council meeting.

Date 1<sup>st</sup> May 2018