

## LIMPSFIELD PARISH COUNCIL

### STANDING ORDERS

THESE STANDING ORDERS WERE ADOPTED BY THE PARISH COUNCIL AT THE MEETING ON MONDAY 16<sup>TH</sup> APRIL 2012 AND COME INTO IMMEDIATE EFFECT

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## **1 PARISH COUNCIL MEETINGS**

- 1.1 Parish Council meetings shall be held when and where the Council shall from time to time determine, to include three statutory meetings as well as the Statutory Annual Meeting.
- 1.2 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.
- 1.3 In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the new Councillors elected take office.
- 1.4 In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council may direct.
- 1.5 If no other time is fixed, the Annual Meeting of the Council shall take place at 6pm.
- 1.6 In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council directs.
- 1.7 The minutes of a meeting shall record the names of Councillors present and absent.
- 1.8 The Code of Conduct adopted by the Council shall apply to Councillors in respect of the entire meeting.

## **2 CHAIRMAN OF MEETING**

- 2.1 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.
- 2.2 The person presiding at a Parish Council meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.
- 2.3 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 is chosen by the Councillors present shall preside at the meeting.

## **3 PROPER OFFICER**

- 3.1 The Council's Proper Officer shall be either the Clerk or such other employee as may be nominated by the Council from time to time or such other employee appointed by the Council to undertake the role of the Proper Officer during the Proper Officer's absence.
- 3.2 The Council's Proper Officer shall do the following:
  - i. Upon the Council having first resolved that service of summons on councillors confirming the time, date, venue and the agenda for a meeting by delivery or post at their residences at least 3 clear days before a meeting is not expedient electronically serve on councillors a summons confirming the time, date, venue

and the agenda of a meeting of the council and a meeting of a committee at least 3 clear days before the meeting provided any such email contains the electronic signature and title of the Proper Officer. When calculating the 3 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 mourning shall not count.

- ii. 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 (provided that the public notice with agenda of an extraordinary meeting of the Council convened by Councillors is signed by them).
- iii. Convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office, in accordance with standing order 3.2i above.
- iv. Receive and retain copies of byelaws made by other local authorities.
- v. Receive and retain declarations of acceptance of office from councillors.

#### **4 QUORUM**

- 4.1 No business may be transacted at a meeting unless at least one third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than 3.
- 4.2 No Parish Council meeting shall start or continue unless a quorum is present.
- 4.3 If for the lack of a quorum a Parish Council meeting has not started within twenty minutes of the time appointed for starting, that Parish Council meeting shall not take place.
- 4.4 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.

#### **5 VOTING**

- 5.1 All questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.
- 5.2 Unless standing orders provide otherwise, voting on any question shall be by a show of hands. At the request of any 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.
- 5.3 Subject to 5.4 and 5.5 below the Chairman may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote.

- 5.4 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.
- 5.5 The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.

## **6 ORDER OF BUSINESS**

- 6.1 At each Annual Meeting the first business shall be to elect a Chairman and Vice-Chairman.
- 6.2 The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.
- 6.3 It is recommended that the Chair's term is restricted to a maximum of two years in any one term except in the case of exceptional circumstances when the Council may agree to extend the term for a further year.
- 6.4 The Vice-Chairman of the Council, if any, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.
- 6.5 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.
- 6.6 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.
- 6.7 Following the election of the Chairman and Vice-Chairman of the Council at the Annual meeting of the Council the order of business shall be as follows:
- i. In every year not later than the meeting at which estimates for next year are settled the Council shall review the pay and conditions of service of existing employees.
  - ii. To receive apologies for absence. (If a member fails throughout six consecutive months to attend any meetings of the Council or any of its committees or sub-committees of which he is a member, he ceases automatically to be a member of the Council unless either he has a statutory excuse of his failure is due to a reason approved by the Council or he attended as a representative of the Council at a meeting of any body of persons. The period begins with the last meeting attended).

- iii. 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 summons to attend the meeting, the Minutes may be taken as read.
  - iv. After consideration, to approve the signature of the Minutes of the Parish Council by the person presiding as a correct record.
  - v. To deal with business arising from the previous Parish Council meetings or expressly required by statute.
  - vi. To receive such communications as the person presiding may wish to lay before the Council.
  - vii. To receive and consider reports of committees and representatives.
  - viii. To receive and consider reports of officers of the Council.
  - ix. To deal with financial matters and, as appropriate, review these Standing Orders.
  - x. To consider resolutions or recommendations in the order in which they have been notified.
  - xi. Any other business specified in the summons.
  - xii. To deal with matters relating to or arising from the Annual Parish Assembly
  - xiii. To fix the date of the next Parish Council meeting if this has not already been arranged.
  - xiv. Any Other Business to answer questions from Councillors.
- 6.8 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 ADMISSION OF PUBLIC AND PRESS TO MEETINGS**

- 7.1 Meetings 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.
- 7.2 Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's written consent.
- 7.3 In accordance with standing order 7.1 above, the press shall be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.
- 7.4 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.
- 7.5 During the Public Session of a meeting of the Council, a member of the public has a right to speak at a length at the discretion of the Chairman and may be invited by the Chairman to speak at any other time during the meeting.

## **8 MOTIONS AND DEBATE**

- 8.1 Motions on matters of procedure, motions necessary for the answering of correspondence and motions arising from specific items included on the agenda for the Parish Council meeting may be moved without notice. No other motion may be moved unless the business to which it relates has been put on the Agenda by the Clerk or written notice, giving full terms of the motion and signed by the mover or movers, has been delivered to the Clerk at least seven days before the meeting.
- 8.2 Any motion of which proper notice has been given shall be proposed by the councillor who has given the notice but in the absence of that councillor, any other councillor shall have the right to move it.
- 8.3 When an amendment to a motion has been moved and seconded, no other amendment shall be moved until the first has been resolved. If the first amendment be not carried, further amendments may be successively moved but every amendment shall be resolved before another shall be entertained. If an amendment be carried the motion as amended shall be put to the Parish Council meeting by the Chairman as a substantive motion.
- 8.4 The proposer of the motion shall be allowed to speak on a motion for five minutes on moving the motion and for three minutes in reply before the motion is put but at no other time except with the express permission of the Chairman.
- 8.5 No other Councillor shall be allowed to speak on a motion for longer than three minutes or to speak more than once except with the express permission of the Chairman.
- 8.6 If a motion specific in the summons be not moved, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.
- 8.7 Where, as a matter of urgency, a motion is moved:
- i. Without due notice having been given as required by standing order 8.1, or
  - ii. To suspend any standing order except those which are mandatory by law,
  - iii. Such a motion shall be carried only if not less than two thirds of the councillors present vote for it.

## **9 DISORDERLY CONDUCT**

- 9.1 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.
- 9.2 If, in the opinion of the Chairman, a member has broken the provisions of paragraph 9.1 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 the member named do leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
- 9.3 If either of the motions mentioned in paragraph 9.2 is disobeyed, the Chairman may suspend the meeting or take such further steps as may reasonably be necessary to enforce them.

## **10 RECISSION OF PREVIOUS RESOLUTIONS**

- 10.1 A decision (whether affirmative or negative) of the Council shall not be reversed within three months save by a special motion, the written notice of which bears the signature of at least six councillors.
- 10.2 When such a special motion has been resolved no similar motion may be moved within a further three months.
- 10.3 This Standing Order shall not apply to motions moved in pursuance of the report or recommendation of a committee.

## **11 COMMITTEES**

- 11.1 The Council may at any time appoint such committees as are considered necessary but no committee shall hold office later than the next Annual meeting of the Parish Council. The Parish Council may at any time dissolve or alter the membership of a committee.
- 11.2 The Standing Orders shall apply to the committee meetings insofar as they are appropriate.
- 11.3 Every committee shall make such reports to the Council as the Council may require.

## **12 VOTING ON APPOINTMENTS**

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

## **13 EXPENDITURE**

- 13.1 The Council's financial regulations shall be reviewed once a year.
- 13.2 The Council's financial regulations may 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.
- 13.3 Orders for the payment of money shall be authorised by resolution of the Council and signed by two councillors at the Parish Council meeting or following the meeting.
- 13.4 Except as provided for in paragraph 13.2 of this Standing Order or by statute, all accounts for payment and claims upon the Council shall be laid before the Council.
- 13.5 Where it is necessary to make payment in respect of an account which has not been laid before the Council, such payment shall be certified as to correctness and urgency by the Clerk and by the Chairman or Vice-Chairman. Unless it has otherwise been

authorised by the Council payment shall be authorised by the Chairman or Vice-Chairman of the Council.

- 13.6 All applications to the Parish Council for Grant Aid are to be received by the Clerk no later than midday on 1st July each year in the form that the Parish Council may from time to time determine. The Parish Council may only consider applications that are complete in every respect and the organisation applying for the grant shall:
- i. Provide audited accounts, if no audited accounts for the immediate past year are available then the previous year's audited accounts together with the unaudited accounts for the immediate past year must accompany the application.
  - ii. Demonstrate that it operates and works to the benefit of the community within the Parish Council's area.
  - iii. Demonstrate it has the ability to raise funds for itself.
  - iv. Demonstrate that it has made its own efforts to raise funds (apart from other applications for grant aid) and is not dependent on the Parish Council's grant.

## **14 INTERNAL AUDIT**

- 14.1 The Clerk shall supply to each member at the earliest ordinary meeting that is practicable after the end of the Financial Year a statement of receipts and payments.
- 14.2 The Clerk shall submit to a member of the Finance Committee a bank reconciliation, the Income and Expenditure Book, supporting receipts, Petty Cash Book, Cash in Hand, bank statements, and Deposit Account books every three months and produce a summary sheet for the member of the Finance Committee to sign that they believe that these represent a true and accurate record of the Council's accounts.

## **15 SEALING OF DOCUMENTS**

- 15.1 A document shall not be sealed on behalf of the Council unless its sealing has been authorised by the Council.
- 15.2 Any two councillors may seal, on behalf of the Council, any document required by law to be issued under seal.

## **16 EXTRAORDINARY MEETINGS**

- 16.1 The Chairman of the Council may convene an extraordinary meeting of the Council at any time.
- 16.2 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.

## **17 CONTRACTS**



- 17.1 The Council shall not enter into any contract for which the value exceeds £500.00 other than by accepting in writing a quotation from an appropriate contractor. Where the value exceeds £1,000.00 quotations shall be invited from no fewer than three contractors.
- 17.2 Any formal tender process shall comprise the following steps:
- i. a public notice of intention to place a contract to be placed in a local newspaper inviting suitably qualified contractors and suppliers to tender;
  - 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 marked envelope, to the Proper Officer by a stated date and time;
  - iv. tenders submitted are to be opened, after the stated closing date and time, by the Proper Officer and at least one member of the Council;
  - v. tenders are then to be assessed and reported to the appropriate meeting of Council or Committee.
- 17.3 A period of not less than ten days shall be allowed for the submission of quotations and the notice inviting quotations shall state the date by which they must be received.
- 17.4 No quotation or tender shall be opened nor shall any contract be awarded other than at a meeting of such councillors and council officials as have been specifically designated for the purpose by resolution of the Council.
- 17.5 Except where a payment not exceeding £1,000.00 is to be made by the Council, a quotation or tender other than the lowest where payment is to be made by the Council, or the highest where payment is to be made to the Council shall not be accepted unless authorised by a resolution of the Council.
- 17.6 If, by reason of inflation, the monetary sums specified in paragraphs 17.1 to 17.5 shall cease to be appropriate, then any sums, unless stipulated by statute, may be revised by resolution of the Council. Such resolutions to be carried shall require a majority in favour of not less than two-thirds of the councillors present. Any changes in the sums specified so resolved shall not represent a percentage increase greater than the percentage by which the retail price index most recently published at the time the resolution is passed, shall have increased over the Retail Price Index published for January 2012.
- 17.7 A notice issued under this standing order shall contain a statement of the effect of Standing Orders 18.4, 19.1, 19.2 & 19.3.
- 17.8 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.
- 17.9 Delegated authority is given to the Chair and Vice Chair to spend up to £250 on emergency expenses between meetings if it is deemed necessary.

## **18 INTERESTS**

- 18.1 If any member has a pecuniary interest, direct or indirect, within the meaning of section 94-95 of the Local Government Act, 1972, in any contract, proposed contract or other matter, he shall, while it is under consideration by the Council, withdraw from the meeting unless the interest is trivial in the manner described in section 97(5) or: -
- i. The disability imposed upon him by those sections has been removed by the District Council; or
  - ii. The Council invite him to remain; or
  - iii. The contract, proposed contract or other matter is under consideration as part of a report of a committee and is not itself the subject of debate.
- 18.2 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.
- 18.3 If any member has non-pecuniary interest within the ambit of the National Code of Local Government Conduct he shall declare it and thereupon be invited to withdraw from the meeting.
- 18.4 If a candidate for an appointment under the Council is to his knowledge related to any member of 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 to do so 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 16.3 shall apply.
- 18.5 The Clerk shall make known the purport of this Standing Order to every candidate.

## **19 CANVASSING & RECOMMENDATION BY MEMBERS**

- 19.1 Canvassing of members of the Council or of any committee, directly or indirectly, for an appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make known the purport of this sub-paragraph of this Standing Order to every candidate.
- 19.2 A member of the Council or of a sub-committee 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 written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- 19.3 Standing Orders Nos. 19.1 and 19.2 shall apply to tenders as if the person making the tender were a candidate for appointment.

## **20 INSPECTION OF DOCUMENTS**

- 20.1 A member may for the purpose of his duty as such (but not otherwise), inspect any document in possession of the Council, or of a committee, and if copies are available shall, on request, be supplied for the like purpose with a copy.
- 20.2 All Minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council.

## **21 UNAUTHORISED ACTIVITIES**

- 21.1 No member of the Council or of any committee or sub-committee shall in the name of or on behalf of the Council
- 21.2 Inspect any lands or premises which the Council has a right or duty to inspect; or
- 21.3 Issue orders, instructions or directions unless authorised to do so by the Council or the relevant committee or sub-committee.

## **22 CONFIDENTIAL BUSINESS**

- 22.1 No member of the Council or of any committee or sub-committee disclose to any person not a member of the Council any business declared to be confidential by the Council; the committee or sub-committee as the case may be.
- 22.2 Any member in breach of the provision of paragraph 22.1 of this Standing Order shall be removed from any committee or sub-committee of the Council by the Council.

## **23 LIAISON WITH COUNTY AND DISTRICT COUNCILLORS**

- 23.1 A notice of meeting shall be sent together with an invitation to attend to the County Councillor for the county division and to the District Councillor or Councillors for the district ward.
- 23.2 Unless the Council otherwise orders, a copy of each letter ordered to be sent to the County or District Council shall be transmitted to the County Councillor for the division or to the District Councillor for the ward as the case may require.

## **24 VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS**

- 24.1 Any or every part of the Standing Orders except those in bold type may be suspended by resolution in relation to any specific item of business.
- 24.2 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.

## **25 STANDING ORDERS TO BE GIVEN TO MEMBERS**

- 25.1 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.

## **26 ANNUAL PARISH ASSEMBLY**

- 26.1 The Chairman of the Annual Parish Assembly shall be the current Chairman of the Parish Council or in his/her absence the Vice-Chairman or, if both the Chairman and Vice-Chairman of the Parish Council be absent a councillor nominated by the councillors.
- 26.2 Where elections (annual or otherwise) are required to take place at the Annual Parish Assembly, such as representatives of the Parish of Limpsfield to serve on external committees, nominations in writing duly proposed and seconded by four electors together with a statement of willingness to stand from the nominee all of whom (proposer, seconder and nominee) are to be in the then current Registers of Electors maintained by Tandridge District Council for the electoral ward of Limpsfield shall be received by the Clerk no later than midday on the day before the Annual Parish Assembly.
- 26.3 Where the validly received nominations exceed the number of vacancies then there shall be a ballot of those registered voters (as defined in 26.2 above) attending the Annual Parish Assembly.
- 26.4 Prior to the ballot each nominee may if they so wish address the Annual Parish Assembly for up to two minutes about their nomination but this shall be entirely at the discretion of the Chairman of the Annual Parish Assembly.

## **27 PARISH COUNCIL NOTICE BOARDS**

- 27.1 No advertisements or notices shall be displayed on the Parish Council notice boards without prior approval of the Council.

## **28 CODE OF CONDUCT**

- 28.1 All councillors shall observe the code of conduct adopted by the Council.
- 28.2 Councillors with a prejudicial 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.