

Playford PARISH COUNCIL STANDING ORDERS

Based on Model Standing Orders for Smaller Parish Councils

Adopted by the Parish Council 3rd September 2014

1. Councillors

1.1. Following election or co-option to the Council, each Councillor will be sent as an attachment by email a copy of the Code of Conduct and Standing Orders of the Council. They will sign the form of Declaration of Acceptance of Office in the presence of the Clerk of the Council.

1.2. All Councillors will observe the Code of Conduct at all times when on Council business and no member will act in such a way that will bring the Council into disrepute, behave inappropriately in meetings or obstruct the Council's business.

1.3. The Code of Conduct adopted by the Council will define when a Councillor will declare a personal or prejudicial interest in an item for discussion at a Council meeting. The Councillor will declare that interest and the nature of the interest before the item is discussed.

2. Annual Meetings

2.1. If the Annual Meeting is in an election year it must be held within 14 days after that election. If it is not an election year then the annual meeting will take place on an appropriate day in May.

2.2. The retiring Chairman will report on the activities of the Council for the preceding year.

2.3. If the outgoing Chairman is available then he/she will preside until a new Chairman has been elected. The first business of the Annual Meeting will be the election of the Chairman (and Vice Chairman, if appropriate) and to receive their acceptance of office.

2.4. Other business will include:

- I. Review of inventory of land and assets including buildings and office equipment.
- II. Review and confirmation of arrangements for insurance cover in respect of all insured risks.
- III. Review of the Council's and/or employees' memberships of other bodies.
- IV. Review of the Council's complaints procedure.
- V. Review of the Council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998.

3. Meetings

3.1. Meetings will be held in appropriate, accessible accommodation. Normally the meetings will not be held in premises used for the supply of alcohol.

3.2. Meetings will normally be held on the first Wednesday of every other month commencing in January. Members will be advised of the meetings by the issue of a summons and agenda delivered by email, post or by hand. The agenda must be issued at least three clear business days before the meeting.

3.3 If a councillor wishes his/her absence from a meeting to which he/she has been summoned to be accepted, he/she should submit his/her written, email or phoned request together with the reason for absence before the meeting takes place. The exact reason for absence will not be made public if he/she asks for confidentiality. A councillor cannot continue in office if he/she fails to attend a meeting of the council for a period of six consecutive

months AND the reason for his/her absence has not been formally accepted before the expiry of the six month period.

3.4. Public notices will be posted on the Parish Council website and notice board informing members of the public of the venue, time, date and business to be transacted at the meeting. The notice will be posted at least three clear working days before the meeting. When calculating the three clear days, the day of the meeting, a Sunday, Christmas, Boxing day, Easter day or a bank holiday or a day appointed for public thanksgiving or mourning shall not count.

3.5. Meetings will be open to the public and press but they may be temporarily excluded from the meeting if the business is regarded as confidential.

3.6. Members of the public may speak at Council meetings at the discretion of the Chair of the meeting. They should request agreement through the Parish Clerk or Chair by the start of the meeting. Each member of the public shall speak only once in respect to the business itemised on the agenda if asked by the Chairman at the start of the meeting to do so and shall speak for a maximum of three minutes. Having made representation this member of the public might be asked to answer question for clarification when the item is reached on the agenda but again for no more than three minutes.

3.7. Any person speaking at a meeting shall address his comments to the Chairman.

3.8. Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chairman shall direct the order of speaking.

3.9. The agenda for the meeting will be agreed by the Clerk, Chairman and/ or Vice Chairman as appropriate. The agenda will always include an item to enable Councillors to declare interests.

3.10. The Council may only take decisions on items clearly specified on the agenda; if agreed by the chairman, any urgent items which are not on the agenda may be discussed, but no decision may be made, at that meeting.

3.11. The Chairman of the Council will preside at the meeting and will be responsible for the conduct of that meeting. If the Chairman is not present then the Vice Chairman will preside. If they are not present then the first matter on the agenda will be the election of an appropriate Councillor who will chair the meeting. Whoever chairs the meeting will assume the duties of the Chairman for the meeting.

3.12. The quorum for the Council will be no fewer than 3. If there be insufficient members present then no business will be transacted and a fresh notice will be issued to reconvene the meeting at a later date.

3.13. If at any time during the meeting it ceases to be quorate then the meeting will be adjourned and any further business carried forward to the meeting when next convened.

3.14. Voting at the meeting shall be by a show of hands. Only the proposer and seconder will be recorded in the minutes unless a Councillor requests that their vote is noted. A Councillor may also request that the Clerk records how each Councillor has voted, including abstentions. Any request of this nature will be made before moving on to the next business.

3.15. In cases of equal votes the Chairman (or other person presiding) will have a second or casting vote.

3.16. A minute of the meeting will be kept by the Clerk or other nominated person in the Clerk's absence. The minutes will record the time and place of the meeting, those councillors present or absent any interests declared by the councillors and any decisions made by the Council.

3.17. Draft minutes will be circulated to Councillors as soon as practicable, at the latest within three weeks after the meeting. Councillors will supply any suggested amendments after which the amended unapproved draft minutes will be made available to the public. The minutes will then be approved at the following meeting and signed by the person presiding at that meeting.

3.18. Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means including live streaming is not permitted without the Council's prior written consent. Children and vulnerable adults can only be filmed with the consent of a responsible adult, carer or legal guardian. Anyone objecting to being filmed or photographed and who does not wish to participate in the meeting will be accommodated in a separate area.

3.19 The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.

3.20. Written reporting or commentary on the proceedings after a meeting or oral reporting or commentary after the meeting which includes blogging, posting comments on Facebook or tweeting is permitted.

3.21 If appropriate, at the start of a meeting, the chairman will remind everyone in attendance that they may be filmed, recorded, photographed or otherwise reported on.

3.22 If appropriate, at the start of the meeting the chairman will remind those who wish to film, record, photograph or otherwise report on the proceedings to avoid those who are sitting in a separate area. The chairman will also remind those individuals sitting in a designated area that those filming or taking photographs may wish to record the entirety of the public in a "panning" or panoramic shot.

3.23 If a meeting includes a public participation session then a person is free to film , record, photograph or otherwise report about individuals participating in such a session whether they are sitting in a designated section or not.

3.24 If the filming, recording, photographing or other reporting of the proceedings disrupt the meeting or obstructs the transaction of business, then the Council has the right to ask the reporter to cease the activity. If they continue to cause a disruption the Council has the right to ask him/her to withdraw.

3.25 Filming, recording, photographing or other reporting of a meeting is likely to include the personal data of individuals. The reporter will be held responsible for ensuring that personal data used in accordance with the Data Protection Act 1998.

3.26. Meetings shall not exceed a period of 2 hours but maybe extended if requested by the chairman and approved by resolution.

3.27. An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the councillor of the District and County Council representing its electoral ward.

4. Motions requiring written notice

4.1. No motion may be moved at a meeting unless it is included in the agenda and has been received by the Clerk at least 10 clear days before the next meeting.

4.2. The Clerk may correct obvious grammatical or typographical errors in the wording of the motion. If the Clerk considers the wording of a motion received is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Clerk.

4.3. Every motion and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area or its residents.

5. Motions not requiring written notice

Motions below may be moved without written notice.

To appoint a person to preside at a meeting.

To approve the absences of councillors.

To approve the accuracy of the minutes of the previous meeting.

To correct an inaccuracy in the minutes of the previous meeting.

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

To alter the order of business on the agenda for reasons of urgency or expedience.

To proceed to the next business on the agenda.

To close or adjourn debate.

To authorise the payment of monies up to (£150).

To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.

To extend the time limit for speeches.

To exclude the press and public for all or part of a meeting.

To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.

To give the consent of the Council if such consent is required by standing orders.

To suspend any standing order except those which are mandatory by law.

To adjourn the meeting.

To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.

To answer questions from councillors.

6. Freedom of Information

6.1. The Council is subject to the Freedom of Information Act. The Clerk will ensure the Council conforms to the requirements of the Act allowing public access to the appropriate documents.

7. Clerk to the Council

7.1. The Council will appoint a Clerk to the Council which will be on an employed basis, unless the Clerk is a member of the Council, acting in an unpaid capacity.

7.2. The Clerk will act as the Proper Officer of the Council, and he/she will:

1. Receive the Declarations of Acceptance of Office and notices disclosing interests.
2. Sign documents on behalf of the Council and issue agendas and notices of meetings
3. Receive and distribute plans and documents on behalf of the Council
4. Advise the bank of changes to mandates with the bank.
5. Make available on the website the minutes of meetings.

7.3. The Clerk will act as Responsible Financial.

7.4. As an employee of the Council the Clerk is covered by employment legislation dealing with employment rights, discrimination in employment, unfair dismissal, redundancy and similar matters. The Clerk will therefore have a contract of employment stating the terms and conditions under which he/she is employed. This will effectively be administered by the Chairman or designated Councillor acting with the authority of the Council.

7.5 Convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office.

7.6. Refer a planning application received by the Council to the Chairman or in his absence the Vice-Chairman within 3 working days of receipt and to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Council

8. Committees and task and finish groups

8.1. The Council from time to time may set up committees to undertake work on behalf of the Council. The Council will set their Terms of reference, and they will report periodically to the Council.

9. Emergency Business

9.1. Should it not be appropriate to convene a special meeting then any emergency business will be handled by the Clerk, in consultation with the Chairman and one other Councillor. Actions will be reported promptly to the Council.

10. Planning Meetings

10.1 On receipt of planning applications from SCDC, the Clerk should send the planning reference number by email to all councillors. The Chairman/Vice Chairman will decide whether to convene a meeting of the council to review the application but by way of rule of thumb, any application for an extension greater than a car port should be reviewed at a meeting.

10.2 Notice of the meeting should be displayed on the village notice board three days before the meeting

10.3 Notice of the meeting should also be relayed to immediate neighbours by letter and to the rest of the village by email.

11. Alteration or Reversal of previous decisions

11.1. Decisions of the Council will not be revised within 4 months, except where a special item is placed on the agenda bearing the name of two Councillors, and is considered and approved by the Council.

12. Voting on appointments

12.0 Where more than 2 persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour,

the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. Any tie may be settled by the Chairman's casting vote.

12. Expenditure

12.1. Any expenditure incurred by the Council shall be in accordance with the Council's financial regulations.

14. Extraordinary meetings

14.1. The Chairman of the Council may convene an extraordinary meeting of the Council at any time.

14.2. 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.

15. Accounts and Financial Statement

15.1. All payments by the Council shall be authorised, approved and paid in accordance with the Council's financial regulations, which shall be reviewed at least annually.

15.2. The Responsible Financial Officer shall supply to each councillor at each council meeting a statement summarising the Council's receipts and payments for the previous months and the balances held at this time. This statement should include a comparison with the budget for the financial year. A Financial Statement prepared on the appropriate accounting basis (receipts and payments, or income and expenditure) for a year to 31 March shall be presented to each councillor before the end of the following month of May. The Statement of Accounts of the Council (which is subject to external audit), including the annual governance statement, shall be presented to Council for formal approval before 30 June.

15.3. The Council shall approve written estimates for the coming financial year at its meeting before the end of January.

16. Code of Conduct on Complaints

16.1 The Council shall deal with complaints on maladministration allegedly committed by the Council., or by any officer or member, following the complaints procedure adopted by the council.

17. Standing Orders

17.1. These and any other standing orders will be reviewed annually by the Clerk and the Chairman, and any amendments will be decided by the Council.

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17.2. During the course of meetings of the Council, the Chairman's decision as to the interpretation of the standing orders will be final.

17.3. The Council may resolve to suspend a Standing Order, in order to progress the business of the Council, and such decision will be included in the minutes. The suspension will not be taken lightly and it will be time-limited.

17.4 A legal deed shall not be executed on behalf of the council unless the same has been authorised by resolution. In accordance with a resolution any two members of the Council

may sign on behalf of the Council any deed required by law and the Proper officer shall witness their signature.

18. Handling of confidential or sensitive information

18.1 The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential or sensitive information which for special reason would not be in the public interest.

18.2 Councillors of staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.

18.3 Under notification by the district council that a councillor has breached the council's code of conduct, the council shall consider what, if any, action to take against him/he. Such action excludes disqualification or suspension of office.