

STANDING ORDERS¹

INTRODUCTION:

Standing Orders determine the processes and procedures used by the Parish Council to achieve its aims. Increased public scrutiny and involvement in public meetings, greater use of technology for communication and decision-making and changes in legislation, particularly concerned with transparency and public freedom of information, have necessitated these Standing Orders.

MEETINGS

1. Meetings of the Parish Council will normally take place in Broadhembury Memorial Hall. **The minimum period of notice of meetings is three days, excluding the day of the meeting, Sundays, Bank Holidays or a day appointed for public thanksgiving or mourning.** Meetings take place every third Tuesday of every other month starting in January. Notice of meetings will be published on four notice boards in the Parish and on the web site www.broadhembury-pc.gov.uk. The agenda should ensure adequate description of the item to alert all who may wish to contribute. Supporting documents for agenda items will be published on the website.
2. **Meetings are open to the public unless their presence is prejudicial to public interest.** 'Public interest' in this context is defined for example as relevance to the public, or whether exclusion would prejudice public debate. Debates, which require the disclosure of personal information or sensitive commercial data, would not for example be in the public interest. **Members of the public may be excluded in whole or in part from meetings by resolution of the meeting.**
3. **Members of the public may ask questions, make representations or give information during time set aside at the commencement of the meeting.** The Chairman² at the start of each meeting will determine the amount of time set. It is entirely at the Chairman's discretion whether he/she allows comments or discussion later in the agenda, or seeks information from members of the public later in the meeting or allows questions on specific items during the proceedings of the meeting.
4. **The Chairman may direct that a question from a member of the public should be answered in writing at a later date without giving a reason and that no further discussion should take place on that issue.**
5. Only one person may speak at any one time. Members of the public must direct their comments/questions to the Chairman and cannot elicit the opinion of other members of the public or Parish Councillors in debate. The Chairman will decide the order of contributions if more than one person wishes to speak. The Chairman may interrupt any person speaking, if in his/her view the point is unclear or repetitive.

6. **Any attendee including the Press may record the meeting.** However the Chairman must be advised before of the intention to record and the meeting must be recorded in its entirety. If a transcript is prepared or published it should be provided to The Clerk. The minutes of the meeting, as published by the PC, constitute the official record.
7. **The Chairman has ultimate decision on matters concerning the conduct of meetings. In his/her absence the Deputy Chair will preside. In the absence of both the meeting, if quorate, may appoint a Chair for the duration of the meeting.**
8. **A quorum of the PC will be no less than one-third of members.**
(currently 3 Parish Councillors)
9. Meetings, irrespective of start time will end no later than 2200hrs. **Except in exceptional circumstances no meeting of the PC shall be held in a place, which at the time of the meeting is used for the supply of alcohol.**
10. Meetings will always agree the minutes of the previous meeting, accept apologies and work to the published agenda. If new information is made available, (e.g., under AOB) then full discussion shall normally be deferred to the next meeting. Unusually the Chairman may decide to consider a new item if deferral would prejudice the outcome, with agreement of the meeting.
11. **Meetings of the Parish Council will be recorded by written minutes.** Minutes will normally record the decision not the discussion leading to the decision. The Clerk in consultation with the Chairman will decide what to minute (except as listed in 12 below) and the Chairman in conjunction with the Clerk will consider representations from Councillors to amend the minutes. Amendments from members of the public will only be considered in rare circumstances at the discretion of the Chairman. The Clerk's minutes, when approved by the PC constitute the official record of the meeting.
12. **Minutes must include a record of the time and place of meeting, the Parish Councillors present, interests declared, whether a Councillor left the meeting and at what point, a record of public participation and resolutions made.** The minutes will be published on the Council's web site; www.broadhembury-pc.gov.uk and such publication will constitute proper dissemination.
13. County Councillors and District Councillors if present will be invited to speak at the beginning of meetings. At the discretion of the Chairman they may invite or take questions from members of the public.
14. The purpose of Parish Council meetings is to resolve issues, which affect the community, to progress the Parish Council's agreed agenda and to agree action, which will benefit the community within available resources. The Chairman has the authority to determine if items raised fall into these categories and should be dismissed.
15. National legislation, in times of emergency, may vary the requirement for the PC to hold meetings in person. In this eventuality the PC will make whatever electronic arrangements are appropriate to organise meetings for public access and participation. These Standing Orders will apply to all such meetings.

DECISIONS

1. **At meetings, decisions are taken by a majority.** The Chairman will decide whether questions are put to a vote by show of hands for resolution. **The Chairman has a casting vote** (in other words his/her vote counts twice) if he/she chooses to exercise it. He/she is not required to vote twice in a consistent way but can exercise the votes as he/she determines. Casting votes are usually exercised to defer the issue for later consideration or to seek new information.
2. The meeting agenda will set out the issues to be covered and if important the decisions to be made. Any PC member may seek more information on an item prior to the meeting from the Clerk or the Chairman.
3. **Decisions concerning expenditure, the appointment of named Councillors for specific tasks, the setting up of groups to resolve particular issues will always require a resolution on which if necessary a vote may be taken.**
4. Members of the public cannot propose an issue for vote or debate nor can they independently seek the opinion of individual Parish Councillors at the meeting. However individual Councillors may raise questions on behalf of a parishioner.
5. **Councillors who believe that they may have a disclosable pecuniary interest or other interest as set out in the Code of Conduct must declare this prior to debate** of the issue or at the start of the meeting. It is at the Chairman's discretion if he/she asks an individual Cllr to leave the meeting or remain present but silent and unable to participate in a vote. (Refer to Code of Conduct Item: 8.1)
6. At the discretion of the Chairman on advice of the Clerk, certain decisions may be made by email sent to all Councillors, if no meeting is imminent provided the same rules concerning a quorum apply (see above). Decisions made by email, which would unusually fall into the category of decisions listed in 3 above, must be ratified at the next PC meeting. After 36hrs, subject to the requirement for a minimum number of responses a decision may be taken. All other criteria which relate to decisions taken by the PC in public meeting will apply (eg Chairman casting vote, conflict of interest etc).
7. The Clerk may send notice of meetings, documents and papers by electronic means and such processes constitute proper service and delivery.
8. Decisions may be changed or reversed in the light of new information. Emergency business may be discussed at an extraordinary/special/ad-hoc PC meeting set up for the purpose. If the Chairman, one other Cllr and the Clerk agree that the matter is of such urgency, or conversely unimportance that a special meeting would be unnecessary, then a decision can be made subject to ratification at the next available PC meeting.
9. **The Parish Council is a corporate body. Decisions cannot be made by any individual Councillor. The council as a collective body is responsible for decisions made in its name.** Parish Councillors have access to all documents relating to PC business unless prevented for an agreed reason.

COMMITTEES and SUB-COMMITTEES

1. The PC may appoint committees or sub-committees to conduct certain defined business from time to time. **If the Chairman of the Parish Council is present at any such committee then he/she must take the chair.**

2. **Committees may include non-Councillors unless the purpose is to regulate and control finance.**
3. Committees may meet in private (e.g., 'task and finish groups') provided they report periodically to the full PC, and there is no requirement on such committees to publish minutes.
4. Committees should operate within the spirit of these Standing Orders but may make their own procedures if ratified by the full PC.
5. The Parish Council has the power to request that an individual Parish Councillor has a 'watching brief' on any issue or Committee not part of the normal PC business. Additionally individual Parish Councillors may be asked to 'take the lead' on specific issues or hold certain portfolios and report back to the PC.

CYCLES of COUNCIL MEETINGS

1. **In an election year the annual meeting of the Council shall be held within 14 days following the day on which new Councillors take office. Otherwise the Annual meeting of the Council shall be held in May. The first business conducted at the Annual meeting shall be the election of the Chairman, Vice Chairman and any other posts as determined.**
2. **If insufficient members of the Parish council wish to serve or have been elected, whether unopposed or contested then the PC may co-opt Cllrs as it sees fit. The PC may choose not to fill any vacant positions or request such information as is reasonable from candidates to enable a decision to be made.** Persons so co-opted have exactly the same rights and responsibilities as elected members.
3. **The first meeting of the Parish Council in any annual cycle shall confirm the status of any committees, existing financial arrangements, the appointment of auditors and continuing expenditure as well as insurance provisions.** Standing Orders will be confirmed or changed after each Election of the Parish Council. **At this meeting the PC will set the level of income (the precept) and advise EDDC accordingly.**
4. **Members are formally invited to attend meetings of the PC.** Technically an invitation is a subpoena . **If unable to attend they must send apologies. An alternative cannot be nominated but the absent member can convey his/her views on particular items to the Chairman. Members who fail to attend three consecutive meetings may be asked to resign.**

The CLERK, RESPONSIBLE FINANCIAL OFFICER and the 'PROPER OFFICER' (*refer to Financial Regulations*)

1. **The Clerk is an employee of the PC** and will usually act as the RFO (Responsible Financial Officer). **The Clerk is also the 'Proper Officer' of the Council.**
2. The RFO is responsible for maintaining any such financial controls as the PC may from time to time determine, for the proper recording and retrieval of VAT, for the management of invoices, payments and contracts and the keeping of proper records. He/she will also instigate audit procedures, keep proper records of income and expenditure and publish details of spend on the web site as determined by openness and transparency legislation. He/she will also apply for grants as requested by the PC and report on grant expenditure as required.
3. From time to time the RFO will report on expenditure to the full PC as requested.

4. The RFO will make and manage the PC's banking arrangements subject to approval by the PC and will determine payment approval procedures and maintain an active list of signature authorities.
5. **The Clerk acts as the 'Proper Officer of the Council' and sends emails, signs letters, issues calls to meetings, receives and distributes plans and documents on behalf of the PC and acts as the custodian of documents. He/she will determine which of these actions require post hoc endorsement at PC meetings.**

CONDUCT at MEETINGS

1. **With the exception of Standing Orders determined by law, the Council may suspend Standing Orders in order to progress business subject to a record of the suspension . During the course of a meeting the Chairman's interpretation of the Standing Orders in consultation with The Clerk will be final.**
2. Disorderly conduct at meetings will not be tolerated. No person may obstruct the transaction of business or behave offensively, improperly or discourteously. The Chairman shall request any person ignoring this Standing Order to moderate or improve their conduct. If this request is disregarded the person may no longer be permitted to speak, or may be excluded from the meeting and potentially future meetings. If reasonable steps to restore order are unsuccessful then the Chairman may suspend or close the meeting.

CODE OF CONDUCT

1. Behaviour at meetings is governed by the PC's Code of Conduct (adopted by the PC on 21.09.2021). These documents should be read in conjunction.

These Standing orders were adopted at a meeting of the Parish Council on 20th Sept, 2016 proposed by Cllr Game and seconded by Cllr Chowles. These Standing Orders will be formally reviewed at a full P.C. meeting annually thereafter.

Date policy adopted to be found at foot of each page.

¹*Standing Orders or parts of them shown in bold are legal requirements and cannot be varied by resolution of the PC*

²*The phrase 'Chairman' refers to the person elected to chair the meeting, whether male or female.*