

**Shenstone Parish Council Standing Orders**  
**APPROVED VERSION MAY 2018**

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Record of Revisions:

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|----------|---|
| 11.06.02 | Standing Orders issued to councillors for approval to revisions                           |
| 09.07.02 | Accepted revisions (intention to review)  |
| 12.11.02 | Addendum to Standing Orders   |
| 10.06.03 | Review of Standing Orders for Ordinary meetings   |
| 12.02.04 | Delegated powers  |
| 14.05.04 | Review of Standing Orders and amendments to delegated powers                              |
| 13.09.05 | Review of Standing Orders and extended delegated powers                                   |
| 09.05.08 | Administrative revision   |
| 06.04.10 | Reviewed  |
| 18.01.12 | Full Review taking account of the latest Model Standing Orders                            |
| 10.05.16 | Full Review taking account of changes in Committee structures and adding Finance guidance |
| 10.04.18 | Full Review and to incorporate electronic serving of Agenda and calling papers            |
| 09.05.18 | Full Review and to incorporate rules for public recording                                 |

**1 FULL COUNCIL (ORDINARY) MEETINGS.**

- 1.1 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.
- 1.2 Meetings of the council will start at 7.15pm on the second Tuesday of every month except August unless the Council decides otherwise at a previous meeting.
- 1.3 Times for the meetings of Standing Committees, sub-committees etc will be as published.
- 1.4 In the absence of the Chairman, a person must be elected to preside at a meeting and will assume all the powers and duties of the Chairman for that meeting.
- 1.5 The Clerk should be present at every Council, Committee or sub-committee meeting with the exception of the Employment Committee meetings.

- 1.6 The public shall be admitted to all meetings, which may, however, temporarily exclude the public by means of the following resolution: "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".
- 1.7 All meetings to have a period of up to fifteen minutes set aside for public participation.
- 1.8 The Clerk shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present.
- 1.9 If a member of the public interrupts the proceedings at any meeting, the Chairman may, after a warning, order that s/he be removed from the room.
- 1.10 A quorum shall be one third as defined by law but must not be less than or 3.

## **2 ANNUAL MEETINGS.**

- 2.1 At each Annual Meeting, held on the second Tuesday in May, the first business shall be to elect a Chairman and (if required) Vice Chair, subject to the following:
- 2.2 A member who has held the office of Chair for a year may be elected for a further year BUT IDEALY SHOULD NOT SERVE FOR A THIRD CONSECUTIVE YEAR.
- 2.3 The Chairman's / (Vice Chair's) declaration of acceptance of office is to be received.
- 2.4 The Parish Council may pay the Chairman an honorarium for the purpose of enabling them to meet the expenses of their office such allowance as the Council think reasonable.
- 2.5 In an election year, all declarations of office are to be received as are declarations of interest which must be updated if there are any personal changes.
- 2.6 If the person presiding at an Annual General Meeting is technically no longer a Member of the Council then s/he may not give an original vote in an election for Chairman but must give a casting vote in the event of an equality of votes.
- 2.7 The Parish Council will hold an Annual Parish meeting between 1<sup>st</sup> March and 1<sup>st</sup> June inclusive for all community organisations and residents within the parish.

## **3 STANDING COMMITTEES / SUB-COMMITTEES.**

- 3.1 The Council shall have the power to appoint or disband Committees.
- 3.2 Every Committee meeting immediately following the Annual General Meeting of the Council must elect a Chairman, who will hold office until the next Annual General meeting. See also 1.3
- 3.3 The Chairman of Council / Committee may summon an additional meeting of a Committee at any time. An additional meeting can 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 transacted at that meeting.
- 3.4 Any Council member can be present and, at the invitation of the chairman, may participate at meetings of any Committee of which they are not a member, but they may not vote unless they are Chair or Vice Chair of the Full Council.
- 3.5 Every Committee may appoint sub-committees for purposes to be specified by the Committee, or may disband or subsume any sub-committee if it so chooses.
- 3.6 The Committee may call on or co-opt (for a particular agenda issue) another person with specialist knowledge. That person can, but need not, be a councillor and any expenditure made in engaging an outside appointment must be pre-approved at Full Council or by determination as at 14.1.

- 3.7 Preferably, all Committee meetings are to be held at least one clear week prior to a Full Council meeting to enable recommendations to be included on the Full Council Agenda.
- 3.8 A.O.B is permitted on Committee Agendas.

#### **4 VOTING AT ALL MEETINGS.**

- 4.1 Members shall vote by show of hands or, if at least two members so request, by ballot.
- 4.2 The Chairman shall have an original vote on any matter put to the vote, and in the case of an equality of votes may give a casting vote even if s/he did not cast an original vote.
- 4.3 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.

#### **5 PROPER OFFICER.**

- 5.1 Where a statute, regulation or order confers functions or duties on the proper officer of the Council in the following cases, it shall be the Clerk.
  - 5.2 To receive declarations of acceptance of office.
  - 5.3 To record declarations of interest.
  - 5.4 To receive and retain plans and documents.
  - 5.5 To sign notices, summonses or other documents on behalf of the Council.
  - 5.6 To receive copies of bylaws made by the District Council.
  - 5.7 In the absence of the Clerk or substitute officer, the proper officer shall be the Chairman.
  - 5.8 The Proper Officer shall:
    - i. At least three clear days before a meeting of the council, a committee or a sub-committee serve on councillors, by delivery or post at their residences, a signed summons confirming the time, place and the agenda.
- OR
- A least three clear days before a meeting of the council, a committee or a sub-committee serve on councillors a summons, by email, confirming the time, place and the agenda provided any such email contains the electronic signature and title of the Proper Officer and that the Councillor's acceptance of electronic summons has been registered.
  - ii. Give public notice of the time, place and agenda at least three clear days before a meeting of the council or a meeting of a committee or a sub-committee (provided that the public notice with agenda of an extraordinary meeting of the council convened by councillors is signed by them).

#### **6 RESOLUTIONS WITH NOTICE.**

- 6.1 Except as provided by these Standing Orders, no resolution may be moved unless the business to which it relates has been put on the Agenda by the Clerk.
- 6.2 Every resolution or recommendation shall be relevant to some subject over which the Council has power or which affects its area.
- 6.3 A resolution or amendment shall not be determined other than by a vote, following a seconded proposal.

**7 RESOLUTIONS WITHOUT NOTICE AT ORDINARY MEETINGS.**

- 7.1 To correct and approve the Minutes (corrections to be noted in the next set of minutes).
- 7.2 To deal with business expressly required by statute to be done.
- 7.3 To vary the order of business.
- 7.4 To close or adjourn a debate.
- 7.5 To refer a matter to Committee.
- 7.6 To approve the payments list.
- 7.7 To authorise the signing of documents.
- 7.8 To adjourn the meeting.
- 7.9 To suspend any Standing Order except those which are mandatory by law.

**8 RESCISSION OF PREVIOUS RESOLUTION.**

- 8.1 A decision of the Council shall not be reversed within 6 months except either by a special resolution or by a written notice signed by at least 5 members of the Council.
- 8.2 When a special resolution or any other resolution moved under the provisions of the above paragraph of this order has been disposed of, no similar resolution may be moved within a further 6 months, unless these Standing Orders are suspended.

**9 RULES OF DEBATE.**

- 9.1 A member shall speak on the matter under discussion or to a point of order.
- 9.2 Members shall address the Chairman.
- 9.3 The ruling of the Chairman on a point of order shall not be discussed.
- 9.4 Whenever the Chairman speaks during a debate all other members shall be silent.
- 9.5 No member may persistently disregard the ruling of the Chairman, wilfully obstruct business, or behave irresponsibly, offensively or improperly thereby bringing the Council into contempt or ridicule.
- 9.6 If, in the opinion of the Chairman, a member has broken the provisions of the previous paragraph the Chairman can advise that member that s/he will no longer be heard or that s/he should leave the meeting.
- 9.7 Where a written report has been presented to the Council or any of its Committees, the recommendation is to be put to a vote following any discussion of the report.

**10 REVISION OR REVOCATION OF STANDING ORDERS.**

- 10.1 Any part of the Standing Orders shall, when proposed and seconded, stand adjourned for adoption at the next ordinary meeting of the Council.

**11 DISCUSSIONS AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL.**

- 11.1 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, the press, public and the employee concerned shall be excluded.

- 11.2 In every year not later than the meeting at which the estimates for the next year are settled, the Council shall review the pay and conditions of service of existing employees.
- 11.3 Where not defined in Employment Law, employment issues will be considered by an Employment Committee for recommendation to Full Council.

## **12 MODEL CODE OF CONDUCT AND DECLARATIONS OF INTEREST.**

- 12.1 Members are required by the provisions of the Localism Act 2011 to sign up to the Code of Conduct accepted by the Council
- 12.2 Members are required to declare their interests (in a register), this information to be retained by the Monitoring Officer.

## **13 FREEDOM OF INFORMATION.**

- 13.1 All documents as specified in the Council's declaration to the Information Commissioners shall be open to the public.
- 13.2 Requests for sight of sensitive information may fall within the rules governing Data Protection.
- 13.3 A discretionary charge may be made for requests under the Freedom of Information Act. This fee to be set by Council in line with LDC charges.

## **14 DELEGATED POWERS.**

- 14.1 Should the need arise for an immediate action and Full Council cannot be consulted, the Chairman of the Council may after consultation with the Vice Chair, 1 Committee Chair and the Clerk institute a course of action in the best interests of the Council. This consultation may be made without notice but any decision made must be deemed lawful and a full account and report must be made to Full Council at its next meeting. If any decision is deemed not lawful, the Clerk shall refer the matter to Full Council and no action shall be taken in the interim.
- 14.2 When Council is in recess, the Finance Committee shall be authorised to approve payments falling due during that period.
- 14.3 Standing Committees may take decisions on matters which fall within their remit as defined in their adopted Terms of Reference.
- 14.4 The Full Council authorises their standing committees to determine responses to Lichfield District Council in respect of planning applications in the event that their meeting does, but the following Full Council meeting does not, fall within the time window for submission of comment. In such cases observation should be gained from all Members of the affected Ward and its NP lead either by their attendance to the meeting or by circulated email comment.
- 14.5 When Council is in recess, the Neighbourhood Planning and Property Committee shall be authorised to approve responses, falling due to LDC, on planning applications.

## 15 FINANCE

- 15.1 In order to mitigate any potential losses should a bank fail; Shenstone Parish Council will hold accounts with a minimum of two different banks. The current account to hold no more than a third of the annual precept at any one time. A reserve account can be held at the same bank taking the overall monies held to no more than half the precept. The balance, half the precept to be held on deposit at a different bank.
- 15.2 The precept to be paid into the current account and transferred out as soon as possible following receipt of the money.
- 15.3 Telephone and On-line banking to be set up with all banks.
- 15.4 Payment by BACS transfer or Telephone banking to be encouraged. The Clerk or designated official to supervise transfers with an authorised Councillor present and both persons to sign and date the printed copy of the transfer at the time.
- 15.5 At least two Councillors to have on-line and telephone access to the bank accounts and to have power to countersign cheques.
- 15.6 All bank accounts and transactions to be reconciled monthly.

## 16 STANDING ORDERS TO BE GIVEN TO COUNCILLORS

- 16.1 The Proper Officer shall provide a copy of the Council's standing orders to a councillor upon delivery of his declaration of acceptance of office.
- 16.2 The Chairman's decision as to the application of standing orders at meetings shall be final.

## 17 REPORTING OF MEETING PROCEEDINGS

- 17.1 A person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To "report" means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.

## GLOSSARY

**Ordinary meetings:** pre-planned Full Council / Standing Committee meetings.

**Standing Committees:** e.g. Neighbourhood Planning & Property, Finance & Legal etc.

**Sub-Committees:** a working party / task group created by Standing Committees.

**Annual Meeting:** held on the 2nd Tuesday in May to elect a new Chairman.

**Annual Parish Meeting:** a Community Forum open to all parishioners and local organisations to be held annually between 1<sup>st</sup> March and 1<sup>st</sup> June inclusive.

**Point of Order:** A point of order would be called if deviation is made from the subject being discussed.

To: Staffordshire Parish Council Association for review – REVIEWED & APPROVED 25<sup>th</sup> April 2018

To: Shenstone Parish Council – REVIEWED & APPROVED 9<sup>th</sup> May 2018.

Signed:

Date:

Chairman.

