

Standing Orders are the written rules of the Parish Council. They are used to confirm a Council's internal organisational, administrative and procurement procedures and procedural matters for meetings, including how decisions are made. A consistent and logical system or method of working should deliver transparent, efficient and effective decision making and prevent unlawful activity occasioned by unclear, inconsistent or ad hoc processes. Standing Orders provide checks and balances that should ensure coherent and sound governance arrangements.

## 1. Councillors

- 1.1. Following election or co-option to the Council, each Councillor will be issued with 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 or of a Councillor who has been specifically designated by the Council for this purpose.
- 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 offensively 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 at the earliest opportunity.
- 1.4. The Clerk is required to compile and hold a *Register of Member's Interests* in accordance with agreement reached with the Monitoring Officer of Herefordshire Council.
- 1.5. If a Councillor wishes to receive a dispensation on an item of business, he/she must write to the Parish Clerk at least one day before the Parish meeting.

## 2. Meetings

- 2.1. Meetings will be held in appropriate, accessible accommodation. Unless no other accommodation is available, the meetings will not be held in premises used for the supply of alcohol.
- 2.2. At least three ordinary meetings of the Council must be held each year. Ordinary meetings will be held on the fourth Tuesday of each month at 19:30 in winter and 20:00 in summer. Councillors will be advised of the meetings by the issue of a summons and agenda delivered by post, by hand or by email provided the Council has previously agreed to this. The agenda must be issued at least three clear working days before the meeting. This does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or a bank holiday or a day appointment for public thanksgiving or mourning.
- 2.3. Public notices will be posted in conspicuous places and on the parish website 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.

- 2.4. 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.
- 2.5. Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- 2.6. A question raised shall not require a response at the meeting nor start a debate on the question. The Chairman of the meeting may direct that a written or oral response be given.
- 2.7. The period of time designated for public participation at a meeting shall not exceed 30 minutes, unless directed by the Chairman of the meeting.
- 2.8. A person who speaks at a meeting shall direct his comments to the Chairman of the meeting.
- 2.9. Only one person is permitted to speak at a time. If more than one person wants to speak, the Chairman of the meeting shall direct the order of speaking.
- 2.10. Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's prior written consent.
- 2.11. 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.
- 2.12. Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in his/her absence be done by, to or before the Vice-Chairman of the Council (if any).
- 2.13. The Chairman of the Council will preside at the meeting and will be responsible for the conduct of the 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.
- 2.14. The quorum for the Council will be one third of the total Councillor places but in any case not fewer than three. 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.
- 2.15. 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.
- 2.16. The agenda for the meeting will be agreed by the Clerk, Chairman and Vice Chairman as appropriate. An opportunity for public questions will be made available immediately before the commencement of the main business of each meeting.
- 2.17. The agenda for each meeting will contain an item dealing with declarations of interest and the consideration of any written application for dispensation submitted to the Clerk as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- 2.18. The Clerk will give the reason for approving any dispensation but the Parish Council will make the decision. The type of dispensation should be given and a time allowance set (no longer than 4 years or until the next election).

- 2.19. A dispensation may be granted in accordance with standing order 2.18 if having regard to all relevant circumstances the following applies:
- 2.19.1. without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business; or
  - 2.19.2. granting the dispensation is in the interests of persons living in the council's area; or
  - 2.19.3. it is otherwise appropriate to grant a dispensation.
- 2.20. With regard to planning applications – if there is a personal interest a statement can be made to the Parish Council meeting but then the person must leave the meeting while discussions take place.
- 2.21. 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.
- 2.22. All questions to be decided by the Council shall be decided by a majority of the members present and voting, if necessary.
- 2.23. Voting at the meeting shall be by show of hands unless a majority of Councillors wants a ballot. A Councillor's vote will only be counted if the Councillor is in the room of the meeting at the time the vote is taken. 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 voted, including abstentions. Any request of this nature will be made before moving on to the next business.
- 2.24. In cases of equal votes the Chairman (or other person presiding) will have a second or casting vote.
- 2.25. A Councillor or a non-Councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's Code of Conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the Code on his right to participate and vote on that matter.
- 2.26. A minute of the meeting will be kept by the Clerk or other nominated person in the Clerk's absence. The minutes which are circulated will be draft minutes until they are approved by the Parish Council at their next meeting and signed by the person presiding at that meeting as an accurate record of what took place.
- 2.27. If the draft minutes of a preceding meeting have been served on Councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- 2.28. If the Chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he/she shall sign the minutes and include a paragraph in the following terms:  
*"The Chairman of this meeting does not believe that the minutes of the meeting held on [date] in respect of (...) were a correct record but his/her view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings."*

- 2.29. No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the Chairman shall request such person(s) to moderate or improve their conduct.
- 2.30. If person(s) disregard the request of the Chairman to moderate or improve their conduct, any Councillor or the Chairman may move that the person be no longer heard or excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- 2.31. If a resolution made under standing order 2.29 is ignored, the Chairman may take reasonable further steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

### 3. Annual Meetings

- 3.1. In an election year the annual meeting must be held within 14 days following the day on which the new Councillors elected take office.
- 3.2. In a year which is not an election year the annual meeting will take place on an appropriate day in May.
- 3.3. 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.
- 3.4. The Chairman of the Council, unless he/she has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his/her successor is elected at the next annual meeting of the council.
- 3.5. The Vice-Chairman of the Council, if any, unless he/she 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.
- 3.6. In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he/she 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.
- 3.7. In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he/she shall preside at the meeting until a new Chairman of the Council has been elected. He/she 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.
- 3.8. In an election year following the election of Chairman and Vice-Chairman, delivery by the Chairman of the Council and Councillors of their acceptance of office forms will follow, unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council of his/her acceptance of office form will follow, unless the Council resolves for this to be done at a later date.
- 3.9. The retiring Chairman will report on the activities of the Council for the preceding year.

## 4. Extraordinary Meetings

- 4.1. The Council may convene an extraordinary meeting at any time in addition to the routine ordinary meetings.
- 4.2. If the Chairman of the Council does not or refuses to call an extraordinary meeting of the council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the council. The public notice giving the time, place and agenda for such a meeting must be signed by the two councillors.

## 5. Committees & Task-and-Finish Groups

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

## 6. Emergency Business

- 6.1. 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.

## 7. Alteration or Reversal of Previous Decisions

- 7.1. 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.

## 8. Clerk to the Council

- 8.1. The Council may appoint a number of employees to assist it in the performance of its duties. 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.
- 8.2. The Clerk will act as the Proper Officer of the Council, and he/she will:
  - 8.2.1. receive the declarations of acceptance of office and notices disclosing interests;
  - 8.2.2. sign documents on behalf of the Council;
  - 8.2.3. issue agendas and notices of meetings at least three clear working days before the meeting;
  - 8.2.4. convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy;
  - 8.2.5. receive and distribute plans and documents on behalf of the Council;
  - 8.2.6. receive and retain copies of byelaws made by other local authorities; and
  - 8.2.7. advise the bank of changes to mandates with the bank.

- 8.3. The Clerk will act as Responsible Finance Officer or be responsible for managing a Finance Officer or other employees of the Council.

## 9. Requests for Information

- 9.1. The Council is subject to the Freedom of Information Act 2000 & the Data Protection Act 1998 and has adopted the Model Publication Scheme for Parish Councils. The Clerk will ensure the Council conforms to the requirement of the Act allowing public access to the appropriate documents.

## 10. Execution & Sealing of Legal Deeds

- 10.1. A legal deed shall not be executed on behalf of the council unless authorised by a resolution.
- 10.2. Subject to standing order 10.1, any two councillors may sign, on behalf of the council, any deed required by law and the Proper Officer shall witness their signatures.

## 11. Communicating with Ward Councillors

- 11.1. An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the Ward Councillor(s) of Herefordshire Council representing the area of the Council.

## 12. Financial Controls & Procurement

- 12.1. The council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
- 12.1.1. the keeping of accounting records and systems of internal controls;
  - 12.1.2. the assessment and management of financial risks faced by the council;
  - 12.1.3. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
  - 12.1.4. the inspection and copying by councillors and local electors of the council's accounts and/or orders of payments; and
  - 12.1.5. procurement policies (subject to standing order 18(c) below) including the setting of values for different procedures where a contract has an estimated value of less than [£60,000].
- 12.2. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- 12.3. Financial regulations shall confirm that a proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £60,000 shall be procured on the basis of a formal tender as summarised in standing order 18(d) below.
- 12.4. Subject to additional requirements in the financial regulations of the council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:

- 12.4.1. a specification for the goods, materials, services or the execution of works shall be drawn up;
  - 12.4.2. an invitation to tender shall be drawn up to confirm (i) the council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
  - 12.4.3. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
  - 12.4.4. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
  - 12.4.5. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
  - 12.4.6. tenders are to be reported to and considered by the appropriate meeting of the council or a committee or sub-committee with delegated responsibility.
- 12.5. Neither the council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- 12.6. 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.

### 13. Standing Orders

- 13.1. 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.
- 13.2. During the course of meetings with the Council, the Chairman's decision as to the interpretation of the standing orders will be final. In cases of doubt, the Council will seek the advice of the Herefordshire Association of Local Councils [HALC].
- 13.3. 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.

***These Standing Orders were adopted by the Parish Council at a meeting of the Council held on:***

24<sup>th</sup> October 2017

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