

Skipwith Parish Council Standing Orders

1. Meetings

- a. Meetings should be held on dates determined by the Parish Council and advertised to the public. They will be held in the Village Hall at 8.00pm unless the Council decides otherwise at a previous meeting. Working parties will be held at convenient times.
- b. All members will conduct themselves in a courteous and professional manner and without prejudice
- c. All members must inform the clerk or chair of their absence before a meeting. A reason for absence is not required
- d. The names of all members present at a Parish Council meeting will be recorded in the minutes at the start of each meeting. Members who arrive late or leave early will be noted within the minutes.
- e. If a member is absent for six consecutive meetings, the Parish Council will require reasons for this non-attendance.
- f. At least seven clear days before a meeting takes place, notice of the time and place of the meeting has to be displayed on the website,
- g. In addition to the public notice the clerk will notify every councillor to attend the meeting specifying the business to be transacted.
- h. The minutes of the proceedings of the Parish Council will be recorded and retained in safe custody for that purpose by the clerk. In the absence of the clerk, the minutes will be taken by a member of the Parish Council. The second item on any agenda will be set aside for the public session. The Chairman must confirm that the members of the public in attendance do live (or own property) in the parish and advise that they may not contribute to the meeting after this session is closed.

2. The Annual Parish Council Meeting (statutory)

- a. In an election year this shall be held on the fourth day after the election or within fourteen days thereafter
- b. In non-election years the meeting will be held at an agreed time in May
- c. The first business item on the agenda will be the election of the Chairman
- d. The Annual Parish Meeting (open forum for residents) will be held under the chairmanship of the Parish Council chairman and if absent under the vice chairman. If both are absent, the first business item will be the election of the chair from those present
- e. To decide on urgent business, additional meetings of the full Parish Council will be called on a date and time when at least four members are available. These additional meetings will have agendas and be advertised on the parish notice board and website at least three clear days prior to the meeting.
- f. There will be a minimum of three other statutory meetings per year.

3. Chairman of Parish Council Meetings

The person presiding at a Parish Council meeting may exercise all the powers and duties of the Parish Chairman in relation to the conduct of the meeting

4. Proper Officer

Where a statute, regulation or order confers functions or duties on the proper officer to the Council in the following cases he/she shall be the clerk:

- a. To receive declarations of acceptance of office
- b. To receive and record notices declaring interest(s) at meetings
- c. To receive and retain plans and documents
- d. To sign notices and other documents on behalf of the Council
- e. To receive copies of bylaws made by other authorities
- f. To certify copies of bylaws made by the Council
- g. To sign and issue summons to attend meetings of the Council
- h. To keep proper records for all Council meetings
- i. In other cases the proper officer shall be the person nominated by the Council and, in default of nomination, the clerk

5. Quorum

- a. The quorum is one third of the Council or a minimum of three members. Working parties may meet with less than three members and act within the policy set by the Council or make recommendations to the next full meeting of the Council
- b. In the event of a quorum not being present, or if during the meeting the number of councillors present (and not debarred by reason of declared pecuniary interest) falls below the quorum, the business not transacted at the meeting shall be transacted at a new meeting date agreed by the Chairman

6. Voting

- a. Members shall vote by a show of hands or, if at least two members so request, by a signed ballot. All proposals shall be proposed and seconded. The proposer and seconder names shall be recorded in the minutes alongside the result.
- b. If a member so requires the clerk shall record the name of the members who voted on any proposal so as to show whether they voted for or against it.
Such a request must be made before moving onto the next item of business.
- c. Subject to the two items above, the Chairman may vote on any matter
- d. If the person chairing the Annual Council 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 turn of office he may give the casting vote in an election for a new chairman
- e. The person chairing must give the casting vote whenever there is an equality of votes in an election for chairman.

7. Order of Business

(In an election year councillors should make Declarations of Acceptance of Office in the presence of the proper officer previously authorised by the Council to take such declarations before the Annual Meeting commences)

At each Annual Council meeting the order business shall be:

- a. To elect the Chairman
- b. To receive the Chairman's Declaration of Acceptance of Office or if not to decide when it shall be received

- c. To decide when any Declarations of Acceptance of Office which have not been received as provided by law, shall be received
- d. To elect a Vice Chairman and receive their Declaration of Office
- e. To appoint any committees the Council may wish to set up
- f. To appoint representatives to other bodies or to note continued representation to other bodies
- g. To list property in ownership of the Parish Council and inspect any deeds and trust investments in the custody of the Council
- h. To review standing orders and any financial regulations
- i. After consideration to approve and sign the minutes
- j. To deal with business expressly required by statute

8. Order of General Business

- a. To read and consider the minutes provided that a copy has been circulated to each member
- b. After consideration to approve the minutes as a correct record by the person chairing the meeting
- c. To deal with business expressly required by statute
- d. To undertake the business associated with the police and other external speakers who have come to advise and discuss issues
- e. To dispose of any business from the last meeting which will not be covered by a later agenda item
- f. To receive communications to the Council. The clerk to indicate on the agenda items for discussion and those for information
- g. To answer questions from members
- h. To receive and consider reports from Officers of the Council
- i. To authorise the signing of orders for payments
- j. To consider the resolutions or recommendations and business in the order they have been notified
- k. To accept minor items of report
- l. To accept items for the next agenda.

9. Urgent Business

- a. A motion to vary the order of business may be proposed by the Chairman or any member and, if proposed by the Chairman, may be put to the vote without being seconded.
- b. Shall be put to the vote without discussion though members may each ask one short question

10. Resolutions moved on notice

- a. Except as provided by these standing orders, no resolution may be moved unless the business to which it relates has been placed on the agenda by the clerk or the mover has given notice in writing/email to the clerk at least seven clear days before the meeting of the Parish Council
- b. If a resolution or recommendation specified in the summons is not moved by the member(s) who have notice of it by any other member, it shall, unless postponed by the Council be treated as withdrawn and shall not be moved without fresh notice being given
- c. Every resolution or recommendation shall be relevant to some questions over which the Council has power or duties that affects this area

11. Resolution Moved without Notice

- a. To appoint a Chairman of the meeting
- b. To correct the minutes
- c. To approve the minutes
- d. To alter the order of business
- e. To proceed to the next item of business
- f. To close or adjourn the debate
- g. To refer a matter to a working party or to gain further information
- h. To deal with a minor matter
- i. To put an item on the next agenda
- j. To adopt a report, seal documents, amend a resolution, or withdraw a resolution or amendment
- k. To exclude the public and press for discussion of business covering individual's private affairs, the setting up and opening of tenders
- l. To increase the time limit for speeches
- m. To silence or eject from the meeting a member named for misconduct
- n. To give any consent of the council required by standing orders
- o. To suspend any standing order
- p. To make decisions on any item where sufficient information is given to members on or with the agenda
- q. To adjourn the meeting.

12. The Meaning of Minor Items which do not need to be listed on the Agenda and actionable by the Clerk between Meetings

- a. The reporting of matters of safety to professional officers of other councils and statutory bodies
- b. To report a problem but not a solution to professional officers of other councils
- c. To order the repair of a streetlight within the budget authorised by the Parish Council. These repairs can be initiated by a nominated councillor and will be reported to the next meeting
- d. To initiate a search for information
- e. To pay by duly signed cheque after checking electricity bills and street light repair bills within allocated budget and agreed rates of payment for bonafide repairs. All sums to be written on the agendas for the following meeting or in the minutes of the meeting where the cheque is signed

13. Questions

- a. A member may ask the Chairman or clerk any question about any business of the Council not on the agenda at the agenda item 'Representative Reports'. Best practice is to give advanced warning of the question. The question may be answered, be referred to the next agenda for full discussion, be left in abeyance for the gathering of information (not later than the next meeting) or an answer may be declined with reasons.
- b. No question not connected with the business under discussion shall be asked except during the part of the meeting set aside for questions.
- c. Discussion on questions will take place by placing the item on the next agenda at the request of a councillor or the Chairman.

14. Rules of Debate

- a. No discussion will take place on the minutes except upon their accuracy. Corrections to the minutes will be by resolution and adoption and must be signed by the Chairman
- b. A resolution needs to be proposed and seconded before being discussed and voted upon. Complex resolutions shall be reduced in writing and reread before a vote is taken. A member when seconding an amendment may, if he/she then declares his/her intention to do so, reserve his/her speech until later in the period of debate.
- c. Amendments may be proposed to leave out words, alter words or any combination of these
- d. Any amendment shall not have the effect of negating the motion before the Council
- e. The amendment shall be voted upon first and if carried become the resolution upon which any further amendment shall be based. Further amendments can then be proposed.
- f. Movers of resolutions and amendments may speak for up to five minutes. Other speeches will be limited to three minutes.
- g. Members who have spoken once shall not speak again on any resolution except to offer new information, a point of personal explanation about a previous speech or to raise a point of order. A point of explanation should confine itself to that part of a previous speech that requires explanation.
- h. Members should restrict their speeches to the matter being discussed. They may move the following resolutions alongside that under debate:
 - To amend the resolution. This can also be done by the proposer with the consent of the seconder
 - To proceed to the next item of business or to adjourn the debate
 - That the question be put now
 - After disorderly conduct that a member be not heard further, that a named member leaves the meeting
 - That the resolution be referred to a working party
 - To exclude the press and public (for items which are allowed to be discussed in camera)
 - To adjourn the meeting.

Resolutions may be withdrawn by the proposer with the consent of the Parish Council and once this withdrawal is agreed no further discussion shall take place.

15. The Chairman/Chairperson

- a. The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed
- b. Members shall address the Chairman
- c. If two or more members speak together, the Chairman shall call upon one of them to speak
- d. Members should not interrupt speeches by other members
- e. Before taking a motion to close (except short adjournments) a debate, the Chairman should be satisfied that the question has been sufficiently

debated and the motion to close has a proposer and a seconder. It will then be out to the Council after the right to reply has been used or waived.

- f. The mover of a resolution should have the right to reply immediately before the resolution is put to the vote. If an amendment is proposed, the mover shall be entitled to reply immediately before the amendment is put to the vote. A member exercising the right to reply shall not introduce a new matter. After the right to reply has been exercised or waived, the Chairman or clerk shall recite the resolution and the vote shall be taken without further discussion.
- g. The Chairman may resign from the office at any time by giving written notice to the Parish Council. The giving of such notice to the clerk is not sufficient.
- h. An extraordinary meeting of the Parish Council may be called at any time by the Chairman
- i. A Chairman may be required by a requisition signed by two members of the Council and presented to him/her, to call an extraordinary meeting. If he/she refuses, or if he/she fails to call a meeting within seven days of the receipt of the requisition, any two members of the Parish Council may convene the meeting.
- j. The elected Chairman must chair a meeting of the Parish Council if present. If, however, there is an item of business to be transacted in respect of which the Chair has declared an interest, the Chairman should hand over the conduct of the meeting for that item to the Vice – Chair (if present) or to another member and should not speak on the matter. The declaration of interest and transfer of the Chair would be recorded in the minutes.

16. The Vice Chairman

The Vice Chairman, in the absence or during the unavailability of the Chairman to act, has all the powers and authority of the Chairman, and unless there is in force Standing Orders to the contrary, anything which is authorised to be done by, to, or before the Chairman, may be done to or before the Vice Chairman.

17. Disorderly Conduct

- a. All members must observe the Code of Conduct which was adopted at the Annual Meeting 2007
- b. No member at a meeting shall persistently disregard the ruling of the Chairman, wilfully obstruct business or behave irregularly, offensively, improperly or in such a manner as to bring the Parish Council into disrepute.
- c. If a member reasonably believes another member is in breach of the Code of Conduct that member is under a duty to report the breach to the clerk
- d. If a motion mentioned in SO 25 is disobeyed, the Chairman may adjourn the meeting or take such further steps as may be necessary to enforce them.

18. Revision of Previous Resolution

A decision, (whether affirmative or negative) of the Council shall not be reversed within six months except by the presentation of new information in writing and special resolution of the Council (i.e. a resolution of members properly signed by at least three Councillors and placed on the agenda)

19 Voting on Appointments

Where an appointment is made and no absolute majority in favour of one person is achieved, the name of the person with the lowest number of votes is removed and so on until one person has a clear majority.

20. Employee Conditions

- a. If any question relating to the appointment, conduct, dismissal, salary or conditions of service of any person employed by the Council, it shall not be discussed until the Council has decided whether or not the press and public shall be excluded.
- b. The offices of the Council shall be deemed to be situated at the private dwelling house of the clerk who shall make all necessary provision for carrying out the duties of the clerkship therein and the Council shall reimburse monthly expenses incurred in complying with this clause. The Council shall review the expenses allowance annually.

21. Decisions on Expenditure

All decisions on expenditure will be listed with the amount at the meeting. Orders for payment of money shall be authorised by resolution of the Council and signed by two members of the Council.

22. Working Parties

The Council may appoint working parties to discuss items affecting the parish, to meet with other electors etc., officials of other bodies, contractors and to discuss issues in detail.

Working parties will act under the Policy of the Parish Council or report back to the Council with recommendations

Any member of the Council can attend the working party

Chairmanship will normally be in the order of the Chairman of the Council, Vice Chair and then a member present by vote as the first item on the agenda if the Chairman is not elected in Council.

Rules for voting and debate will be as rules for the Parish Council except

- Where a working party consists of non members plus members is reporting back to Council with recommendations from persons with knowledge of issues, all persons will have a vote
- Where a working party has been given plenary powers, only members of the Council will have a vote.

23. Accounts and Financial Statements

- a. All accounts for payment upon the Council will be laid before the Council
- b. Where it is necessary to make a payment prior to authorisation by the Council, such payments shall have already been approved in principle by minutes or standing order, be within budget and certified for correctness.

- c. The clerk will supply a statement as to the finances of the Council at the end of each financial year or on demand by a member.

24. Estimates

The clerk will prepare a written list of estimated expenditure for the following financial year to the Council in November. Members wishing to intimate expenditure should input these projects into the costing process. Approval of these estimates or amendment to them shall be given before the date set by the North Yorkshire Council for return of precept requests.

25. Interest

If any member has an interest as defined by the Code of Conduct adopted by the Council, then they shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of the interest.

If a member has declared a personal interest then considers the interest to be prejudicial, they must withdraw from the meeting room during consideration of the item to which the interest relates.

The clerk is required to compile and hold a Register of Member's Interests and supply a copy thereof to the Monitoring Officer at North Yorkshire Council. If a candidate for any appointment or a person/ firm tendering for work with the Council is to their knowledge related to any member or holder of any office under the Council, that person with the member/officer to whom they are related shall disclose that relationship in writing to the clerk. Failure to disclose such a relationship will result in disqualification and, if appointed the employee may be dismissed without notice, or with a contract of work the contract shall be void. The clerk shall make known this standing order to candidates. This Standing Order does not preclude the employment of this person or firms but recognises the related member's interest. Other members should not be influenced by such relationships.

Members should not allow canvassing for employment or contract and should report any contact to other members.

26. Inspection of Documents

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

27. Unauthorised Minutes

No member or any other person shall in the name of the Council inspect any lands or premises or issue any orders unless authorised to do so by the Parish Council

28. Admission of the Press and Public

- a. The public shall be admitted to all meetings and working parties of the Council which may, however, temporarily exclude the public by use of guidelines from the Public Bodies (Admission to Meetings) Act 1960 as amended by section 100A of the Local Government Act 1972 Schedule 12A for the bone fide reasons of confidentiality described in the Act. The resolution will be: 'That in view of the (special) (confidential) nature of

the business about to be transacted, it is advisable in the public interest that the press and public be temporarily excluded and they are instructed to withdraw'.

- b. The Council or working party minutes shall state the special reason for exclusion
- c. At all meetings of the Parish Council, the Chairman or any member may move a motion to adjourn the meeting so as to allow any members of the public to address the meeting in relation to the business to be transacted at that meeting. No vote will be taken until the Council session is officially recommenced.
- d. The clerk shall afford to the press reasonable facilities for taking report of any proceedings for which they are entitled to be present. There shall be no audio or video recording or photographs of the meeting without the express approval of the Council.
- e. If a member of the public interrupts the proceedings at the meeting, the Chairman may, after warning, order that they be removed from the meeting and adjourn the meeting for such a period as is necessary to restore order.

29. Confidential Business

No member or officer of the Council shall disclose to any person not a member, any business declared to be confidential by the Council except where action determined by the Council requires it.

30. Liaison with North Yorkshire Councillors

- a. The clerk will invite the relevant Councillors for the ward to each meeting of the Council and to such working parties as may require good liaison. These elected representatives will be bound by the requirements of these Standing Orders.
- b. Unless the Council otherwise orders, the clerk will make decisions of the Parish Council affecting the relevant higher council.

31. Planning Applications

On receipt of a planning application for consultation, the clerk shall refer this application to the next agenda of the council. If the Council is not due to meet within the time limit given for a return of comments and the Planning Officer is unable to give sufficient extension of time, the clerk will call a special meeting of the Council when a quorum can be achieved and sufficient notice can be given to press and public as determined by law.

32. Financial Matters

The Council shall consider and approve financial regulations based on the model produced by National association of Local Councils (NALC)

33. Code of Conduct on Complaints

The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or member in such a manner as adopted by the Council except those complaints which should properly be directed to the Standards Board for England for consideration.

34. Variation, Revocation and Suspension of Standing Orders

- a. Any or every part of Standing Orders except those required by statute may be suspended by resolution in relation to any specific item of business
- b. A resolution to permanently add vary or invoke a Standing Order shall be proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

35. Standing Orders

- a. A copy of these Standing Orders and the financial regulations or subsequently revised versions shall be given to each member by the clerk upon delivery to home of the members Declaration of Acceptance of officer.
- b. At each Annual Council Meeting an item will be placed on the agenda reminding members of the existence of Standing Orders and Financial Regulations and the opportunity to review these. The Annual Council meeting in deciding to review the Standing Orders is recommended to either set up a working party or employ the clerk to produce a draft of alterations. Any changes in statute that requires a change of Standing Orders shall be proposed without delay.