

Waddingham Parish Council

Standing Orders

2017/2018

**Adopted by Waddingham Parish Council
3 May 2017**

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1.	Rules of debate at meetings
(a)	Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chair of the meetings.
(b)	A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
(c)	A motion on the agenda that is not moved by a proposer may be treated by the Chair of the meeting as withdrawn.
(d)	If a motion, (including an amendment) has been seconded, it may be withdrawn by the proposer, only with the consent of the seconder, and the meeting.
(e)	An amendment is not a proposal to remove or add words to a motion. It shall not negate the motion.
(f)	If an amendment to the original motion is carried, the original motion becomes the substantive motion upon which further amendment(s) may be moved.
(g)	An amendment shall not be considered unless early verbal notice of its given at the meeting and, if requested by the Chair of the meeting, is expressed in writing to the chair.
(h)	A councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
(i)	If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chair.
(j)	Subject to Standing Order 1(k) below, only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairman of the meeting.
(k)	One or more amendments may be discussed together if the Chair of the meeting considers this expedient but each amendment shall be voted upon separately.
(l)	A councillor may not move more than one amendment to an original of substantive motion.
(m)	The mover of an amendment has no right of reply at the end of debate on it.
(n)	Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate of the first amendment or at the very end of debate on the final substantive motion before it is put to the vote.
(o)	Unless permitted by the Chair of the meeting, a councillor may speak once in the debate on a motion except: <ul style="list-style-type: none"> • To speak on an amendment moved by another councillor • To move or speak on another amendment if the motion has been amended since he/she last spoke • To make a point of order • To give a personal explanation, or • To exercise of a right of reply
(p)	During the debate of a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the

	standing order, which he considers has been breached or specify the other irregularity in the proceedings of the meeting he/she is concerned by.
(q)	The Chair of the meeting shall decide a point of order, and his/her decision shall be final.
(r)	When a motion is under debate, no other motion shall be moved except: <ul style="list-style-type: none"> • To amend the motion • To proceed to the next business • To adjourn the debate • To put the motion to a vote • To ask a person to be no longer heard or to leave the meeting • To exclude public and press • To adjourn the meeting, or • To suspend particular standing order(s) excepting those which reflect mandatory statutory requirements.
(s)	Before an original or substantive motion is put to the vote, the Chair of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.
(t)	Excluding motions moved relating to standing order 1(r) above, the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed three (3) minutes without the consent of the chair of the meeting.
2.	Disorderly conduct at meetings
(a)	No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chair of the meeting shall request such person(s) to moderate or improve their conduct.
(b)	If person(s) disregard the request of the Chair of the meeting to moderate or improve their conduct, any councillor or the chair of the meeting may move that they person be no longer heard and excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
(3)	If a resolution made under standing order 2(b) above is ignored, the chair of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.
3.	Meetings generally
(a)	Meetings shall not take place in premises, which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.
(b)	The minimum three clear days for notice of a meeting does not include the day on which the notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.
(c)	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 the entire meeting shall be by a resolution, which shall give reasons for the public's exclusion.

(d)	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 of the agenda.
(e)	The period of time designated for public participation at a meeting in accordance with standing order 3(e) above shall not exceed fifteen (15) minutes unless directed by the chairman of the meeting.
(f)	Subject to standing order 3(f) above, a member of the public shall not speak for more than three (3) minutes.
(g)	In accordance with standing order 3(e) above, a question shall not require a response at the meeting, nor start a debate on the question. The Chair of the meeting may direct that a written or oral response be given.
(h)	A person who speaks at a meeting shall direct his comments to the Chair of the meeting.
(i)	Only one person is permitted to speak at a time. If more than one person wants to speak, the Chair of the meeting shall direct the order of speaking.
(j)	Notification that photographing, recording, broadcasting or transmitting the proceedings of a meeting will take place shall be given to the Council prior to the commencement of the meeting.
(k)	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.
(l)	Subject to standing orders, which indicate otherwise, anything authorised or requiring to be done by, to or before the Chair of the council may in his/her absence be done by, to or before the Vice Chair of the council.
(m)	The Chair, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice Chair, if present, shall preside. If both the Chair and Vice Chair are absent from a meeting, a councillor chosen by the councillors present at the meeting shall preside at the meeting.
(n)	Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors, or councillors with voting rights, present and voting.
(o)	The chair of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his/her casting vote whether or not he/she gave an original vote. <i>See standing orders 5(i) and 5(j) below for the different rules that apply in the election of the Chair of the Council at the annual meeting of the council.</i>
(p)	Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his/her vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.
(q)	The minutes of the meeting shall include an accurate record of the following: <ul style="list-style-type: none"> • The time and place of the meeting • The names of the councillors present and absent • Interests that have been declared by councillors and non-councillors with voting rights • Whether a councillor or non-councillor with voting rights left the meeting when matters that they held interest in were being

	<p>considered</p> <ul style="list-style-type: none"> • If there was a public participation session; and <p>The resolutions made</p>
(s)	<ul style="list-style-type: none"> • A councillor or 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.
(t)	No business may be transacted at a meeting unless at least one third of the whole number of members of the council are present and in no case shall the quorum of a meeting be less than three.
(u)	If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.
(v)	A meeting shall not exceed a period of two (2) hours.
4.	Committees and subcommittees
	Not completed as not applicable to Waddingham Parish Council.
5.	Ordinary council meetings
(a)	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.
(b)	In a year that is not an election year, the annual meeting of the council shall take place on such day in May as the council may direct.
(c)	If no other time is fixed, the annual meeting of the council shall take place at 7.00pm.
(d)	In addition to the annual meeting of the council, at least three other ordinary meetings shall be held each year on such dates and times as the council directs.
(e)	The first business conducted at the annual meeting of the council shall be the election of the Chair and Vice-Chair of the council.
(f)	The Chair of the council, unless he/she has resigned or become 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.
(g)	In an election year, if the current Chair of the council has not been re-elected as a member of the council, he/she shall preside at the meeting until a successor Chair of the council has been elected. The current Chair of the council shall not have an original vote in respect of the election of the new Chair of the council but must give a casting vote in the case of an equality of votes.
(i)	<p>Following the election of the Chair of the council and the Vice Chair of the council at the annual meeting of the council, the business of the annual meeting shall include:</p> <ul style="list-style-type: none"> • In an election year, delivery by the Chair of the council and councillors of their acceptance of office forms unless the council resolves for this to be done at a later date. In a year that is not an election year, delivery by the Chair of the council of his/her acceptance of office form unless the council resolves for this to be done at a later date

	<ul style="list-style-type: none"> • Confirmation of the accuracy of the minutes of the last meeting of the council • Review and adoption of appropriate standing orders and financial regulations • In an election year, to make arrangements with a view to the council becoming eligible to exercise the general power of competence in the future • Review of inventory of land and assets • Confirmation of arrangements for insurance cover in respect of all insured risks • Review of the council's and/or staff subscriptions to other bodies • Review of the council's complaints procedure • Review of the council's procedures for handling requests made under the Freedom on Information Act 2000 and the Data Protection Act 1998 • Review of the council's policy for dealing with the press/media <p>Determining the time and place of ordinary meetings of the full council up to and including the next annual meeting of the full council</p>
6.	Extraordinary meetings of the council
(a)	The Chair of the council may convene an extraordinary meeting of the council at any time.
(b)	If the Chair of the council does not or refuses to call an extraordinary meeting of the council within seven days of being requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the council. The two councillors must sign the public notice, giving the time, place and agenda for such a meeting.
7.	Previous resolutions
(a)	A resolution shall not be reversed within six months except either by a special motion, which requires notice by at least four (4) councillors to be given to the Proper Officer in accordance with standing order 9 below.
(b)	When a motion moved pursuant to standing order 7(a) above has been disposed of, no similar motion may be moved within a further six months.
8.	Voting on appointments
(a)	Where more than two 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 have 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 giving in favour of one person. A tie in votes may be settled by the casting vote exercisable by the chairman of the meeting.
9.	Motions for a meeting that require written notice to be given to the Proper Officer
(a)	A motion shall relate to the responsibilities of the meeting, which it is tabled for and in any event shall relate to the performance of the council's statutory functions, powers and obligations or an issue, which specifically affects the council's area or its residents.
(b)	No motion may be moved at a meeting unless it is on the agenda and the

	mover has given written notice of its wording to the Proper Officer at least (3) clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
(c)	The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b) above, correct obvious grammatical or typographical errors in the wording of the motion.
(d)	If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Office so that it can be understood, at least three (3) clear days before the meeting.
(e)	If the wording of subject of a proposed motion is considered improper, the proper Officer shall consult with the Chair of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
(f)	Subject to standing order 9(e) above, the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
(g)	Motions received shall be recorded in a book for that purpose and numbered in the order that they are received.
(h)	Motions rejected shall be recorded in a book for that purpose, with an explanation by the Proper Officer for their rejection.
10.	Motions at a meeting that do not require written notice
(a)	<p>The following motions may be moved at a meeting without written notice to the Proper Officer:</p> <ul style="list-style-type: none"> • To correct an inaccuracy in the draft minutes of a meeting • To move to a vote • To defer consideration of a motion • To appoint a person to preside at a meeting • To change the order of business on the agenda • To proceed to the next business on the agenda • To require a written report • To extend the time limit for speaking • To exclude the press and public from a meeting in respect of confidential or sensitive information which is prejudicial to the public interest • To not hear further from a councillor or a member of the public • To exclude a councillor or a member of the public for disorderly conduct • To temporarily suspend the meeting • To suspend a particular standing order (unless it reflects mandatory statutory requirements) • To adjourn the meeting, or <p>To close the meeting</p>
11.	• Handling confidential or sensitive information
(a)	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 reasons should not be in the public interest.
(b)	Councillors and staff shall not disclose confidential or sensitive information,

	which for special reasons would not be in the public interest.
12.	Draft minutes
(a)	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.
(b)	There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the above draft minutes shall be moved in accordance with standing order 10(a) above.
(c)	The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the Chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.
(d)	If the Chair 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 or to the same effect: <i>“The Chair of this meeting does not believe that the minutes of the () 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.”</i>
(e)	Upon a resolution, which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.
13.	Code of conduct and dispensations See also standing order 3(t) above
(a)	All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the council.
(b)	Unless he/she has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he/she has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he/she had the interest.
(c)	Unless he/she has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the council’s code of conduct. He/she may return to the meeting after it has considered the matter in which he/she had the interest.
(d)	Dispensation requests shall be in writing and submitted to the Proper Officer as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
(e)	A decision as to whether to grant a dispensation shall be made by the Chair of the Meeting and that decision is final.
(f)	A dispensation request shall confirm: <ul style="list-style-type: none"> • The description and nature of the disclosable pecuniary interest or another interest to which the request for dispensation relates • Whether the dispensation is required to participate at a meeting in a discussion only, or a discussion and a vote • The date of the meeting or the period (not exceeding four years) for

	<p>which the dispensation is sought; and</p> <p>An explanation as to why the dispensation is sought</p>
(g)	<ul style="list-style-type: none"> Subject to standing orders 13(d) and (f) above, dispensation requests shall be considered at the beginning of the meeting of the council.
(h)	<p>A dispensation may be granted in accordance with standing order 13(e) above if having regard to all the relevant circumstances the following applies:</p> <ul style="list-style-type: none"> 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 Granting the dispensation is in the interest of persons living in the council's area; or <p>It is otherwise appropriate to grant a dispensation</p>
14.	Code of conduct for complaints
(a)	Upon notification by Waddingham Parish council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the council's code of conduct, the Proper Officer shall, subject to standing order 11 above, report this to the council.
(b)	Where the notification in standing order 14(a) above relates to a complaint made by the Proper Officer, the Proper Officer shall, subject to standing order 11 above, report this to the council.
(c)	<p>The council may:</p> <ul style="list-style-type: none"> Provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law <p>Seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter</p>
(d)	<ul style="list-style-type: none"> Upon notification by Waddingham Parish council that a councillor or non-councillor shall consider what, if any, action to take against him/her. Such action excludes disqualification or suspension from office.
15.	Proper Officer
(a)	The Proper officer shall be either (1) the Clerk or (2) other staff member(s) nominated by the council to undertake the work of the Proper Officer when the Proper Officer is absent.
(b)	<p>The Proper Officer shall:</p> <ul style="list-style-type: none"> At least three clear days before a meeting of the council, serve on councillors a summons, by email, confirming the time, place and agenda provided such email contains the electronic signature and title of the Proper Officer Give public notice of the time, place and agenda at least three clear days before a meeting of the council (provided that the public notice with agenda or an extraordinary meeting of the council convened by councillors is signed by them Subject to standing order 9 above, include on the agenda all motions in the order received unless a councillor has given written notice of at least (3) days before the meeting, confirming his withdrawal of it

	<ul style="list-style-type: none"> • Convene a meeting of full council for the election of a new Chair of the council, occasioned by a casual vacancy in his/her office • Facilitate inspection of the minute book by local government electors • Retain a copy of every councillor's register of interest • Assist with responding to requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998, in accordance with and subject to the council's policies and procedures relating to the same • Receive and send general correspondence and notices on behalf of the council except where there is a resolution to the contrary • Manage the organisation, storage of, access to and destruction of information held by the council in paper and electronic form • Arrange for legal deeds to be executed • Arrange or manage the prompt authorisation, approval and instruction regarding any payments to be made by the council in accordance with council's financial regulations • Record every planning application notified to the council and council's response to the local planning authority in a book for such purpose • Refer a planning application received by the council to the Chair or in his/her absence the Vice-Chair of the council within two working days of receipt to facilitate an extraordinary meeting if the nature of the planning application requires consideration before the next ordinary meeting of the council <p>Manage access to information about the council via the publication scheme</p>
16.	Responsible Financial Officer
(a)	The council shall appoint appropriate staff member(s) to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent
17.	Accounts and accounting statements
(a)	"Proper practices" in standing orders refer to the most recent version of Governance and Accountability for Local councils – A Practitioner's Guide (England), published March 2016.
(b)	All payments by the council shall be authorised, approved and paid in accordance with the law, proper practices and the council's financial regulations
(c)	<p>The Responsible Financial Officer shall supply to each councillor as soon as practicable after the 30 June, 30 September and 31 December in each year a statement to summarise:</p> <ul style="list-style-type: none"> • The council's receipts and payments for each quarter • The council's aggregate receipts and payments for the year to date • The balances held at the end of the quarter being reported <p>And which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.</p>
(d)	<p>As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:</p> <ul style="list-style-type: none"> • Each councillor with a statement summarising the council's receipts

	<p>and payments for the last quarter and the year to date information; and</p> <ul style="list-style-type: none"> To the full council the accounting statements in the form of Section 1 of annual return, as required by proper practices, for consideration and approval.
(e)	<ul style="list-style-type: none"> The year-end accounting statements shall be prepared in accordance with proper practices and applying the form of accounts determined by the council (receipts and payments, or income and expenditure) for a year to 31 March. A completed draft annual return shall be presented to each councillor before the end of the following month of May. The annual return of the council, which is subject to external audit, including the annual governance statement, shall be presented to council for consideration and formal approval before 30 June.
18.	Financial controls
(a)	<p>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:</p> <ul style="list-style-type: none"> The keeping of accounting records and systems of internal control The assessment and management of financial risks faced by the council 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 <p>The inspection and copying by councillors and local electors of the council's accounts and/or orders of payment</p>
(b)	<ul style="list-style-type: none"> Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
19.	Requests for information
(a)	<p>Requests for information held by the council shall be handled in accordance with the council's policy in respect of handlings requests under the Freedom of Information Act 2000 and Data Protection Act 1998.</p>
(b)	<p>The proper Officer to the Chair of the council shall refer correspondence from, and notices served by, the Information Commissioner. The council shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000.</p>
20.	Relations with the media/press
(a)	<p>Requests from the press or other media for an oral or written comment or statement from the council or its councillors shall be handled in accordance with the council's policy in respect of dealing with the press and/or other media.</p>
21.	Execution and sealing of legal deeds
(a)	<p>A legal deed shall not be executed on behalf of the council unless authorised by a resolution.</p>
(b)	<p>Subject to standing order 22(a) above, any two councillors may sign, on behalf of the council, any deed required by law and the Proper Officer shall witness their signatures.</p>

22.	Communicating with District and County Councillors
(a)	An invitation to attend a meeting of the council shall be sent, together with the agenda to the ward councillor of West Lindsey District Council and appropriate Lincolnshire County Council Councillor representing the area of the council.
23.	Restrictions on councillor activities
(a)	Unless authorised by a resolution, no councillor shall: <ul style="list-style-type: none"> • Inspect any land and/or premises which the council has a right or duty to inspect; or Issue orders, instructions or directions.
24.	Standing orders generally
(a)	All or part of a standing order, except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
(b)	A motion to add or vary or revoke one or more of the council's standing orders, except one that incorporates mandatory statutory requirements, shall be proposed by a special motion, the written notice by at least (2) councillors to be given to the Proper Officer in accordance with standing order 9 above.
(c)	The Proper Office shall provide a copy of the council's standing orders to a councillor as soon as possible after he/she has delivered his acceptance of office form.
(d)	The decision of the Chair of a meeting as to the application of standing orders at the meeting shall be final.

Original Policy Adoption at Waddingham Parish Council Meeting 3 May 2017

Next Review May 2018