

**LITTLE CLACTON PARISH COUNCIL
STANDING ORDERS**

1. Meetings

(a) Meetings of the Council shall be held in each year on such dates and times and at such place as the Council may direct.

(b) Smoking is not permitted at any meeting of the Council.

2. The Statutory Annual Meeting

(a) In an election year – the Annual Parish Council Meeting shall be held on or within 14 days following the day on which the councillors elected take office, and

(b) in a year which is not election year, the Annual Parish Council Meeting shall be held on such day in May as the Council may direct.

3. In addition to the Statutory Annual Parish Council Meeting at least three other statutory meetings shall be held in each year on such dates and times and at such place as the Council may direct.

4. Chairman of the Meeting

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

5. Proper Officer

Where a statute regulation or order confers function or duties on the proper officer of the Council in the following cases, he shall be the clerk or nominated officer-

To receive declarations of acceptance of office.

To receive and record notices disclosing interests at meetings To receive and retain plans and documents.

To sign notices or other documents on behalf of the Council To receive copies of bylaws made by another local authority To certify copies if bylaws made by the Council.

To sign and issue the summons to attend meetings of the Council To keep proper records for all Council meetings .

6. Quorum of the Council

Three members or one-third of the total membership, whichever is the greater, shall constitute a quorum at meetings of the Council.

7. If a quorum is not present or if during a meeting the number of councillors present (not counting those debarred by reason of a declared interest) falls below the required quorum, the meeting shall be adjourned and business not transacted shall be transacted at the next meeting or on such other day as the Chairman may fix.

8. Voting

Members shall vote by show of hands or, if at least two members so request, by signed ballot.

9. If a members 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. Such a request must be made before moving on to the next business.

10. (1) Subject to (2) and (3) below, the Chairman may give an original vote on any matter put to the vote, and in any case of an equality of votes may give a casting vote whether or not he gave an original vote.

(2) If the person presiding at the annual 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 term of office he may not give an original vote in an election for Chairman.

(3) The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.

11. Order of Business

At each Annual Parish Council Meeting the first business shall be;

(a) To elect a Chairman of the Council.

(b) To receive the Chairman's declaration of acceptance of office or, if not then received, to decide when it shall be received.

(c) In the ordinary year of election of the Council, to fill any vacancies left unfilled at the election by reason of insufficient nominations.

(d) To decide when any declarations of acceptance office which have not been received as provided by law shall be received.

(e) To elect a Vice-Chairman of the Council.

(f) To appoint representatives to outside bodies

(g) To appoint committees and sub-committees.

(h) To consider the payment of any subscriptions falling to be paid annually

(i) To inspect any deeds and trust investments in the custody of the Council as required and shall thereafter follow the order set out in the Standing Order 13

12. At every meeting other than the Annual Parish Council Meeting the first business shall be appoint a Chairman if the Chairman and Vice-Chairman be absent and to receive such declarations of acceptance of office (if any) and undertaking to observe the Council's code of conduct as are required by law to be made or, if not then received, to decide when they shall be received.

13. After the first business has been completed, the order of business, unless the Council otherwise decides on the ground of urgency, shall be as follows:

(a) To read and consider the Minutes; provided that if a copy has been circulated to each member not later than the day of issue of the summons to attend the meeting, the Minutes may be taken as read.

(b) After consideration to approve the signature of the Minutes of the person residing as a correct record.

(c) To deal with business expressly required by statute to be done

(d) To dispose of business, if any, remaining from the last meeting.

(e) To receive such communications as the person presiding may wish to lay before the Council.

(f) To answer questions from Councillors.

(g) To receive and consider reports and minutes of committees

(h) To receive and consider resolutions or recommendations

(i) To authorise the sealing of documents.

14. Urgent Business

A motion to vary the order of business on the grounds of urgency:

(a) May be proposed by the Chairman or by any member and, if proposed by the Chairman, may be put to the vote without being seconded, and

(b) Shall be put to the vote without discussion.

15. Resolutions Moved Without Notice

Resolutions dealing with the following matters may be 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 business
- (f) To close or adjourn the debate
- (g) To refer a matter to a committee.
- (h) To appoint a committee or any members thereof.
- (i) To adopt a report.
- (j) To authorise the sealing of documents
- (k) To amend a motion.
- (l) To give leave to withdraw a resolution or amendment.
- (m) To exclude the press and public (see Order 35 below).
- (n) To silence or eject from the meeting a member named for misconduct (see order 38 below).
- (o) To give the consent of the Council where such consent is required by these Standing Orders.
- (p) To suspend any Standing Order (see Order 44 below).
- (q) To adjourn the meeting.

16. Questions

A member may ask the Chairman of the Council or the Clerk any question concerning the business of the Council provided 14 clear days notice of the question has been given to the person to whom it is addressed.

17. No questions not connected with business under discussion shall be asked except during the part of the meeting set aside for questions.

18. Rules of Debate

No discussion of the Minutes shall take place except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chairman.

- (a) An amendment shall not have the effect of negating the resolution before the Council.
- (b) If an amendment be carried, the resolution, as amended shall take the place of the original resolution and shall become the resolution upon which any further amendment may be moved.
- (c) A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
- (d) When a resolution is under debate no other resolution shall be moved except the following:
 - (i) to amend the resolution.
 - (ii) to proceed to the next business.
 - (iii) to adjourn the debate.
 - (iv) that the question be now put.
 - (v) that the resolution be referred to a committee
 - (vi) to exclude the public and press.
 - (vii) to adjourn the meeting.

19. (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, if two or more members wish to speak, the Chairman shall decide who to call upon.

(c) Whenever the Chairman speaks during a debate all other members shall be silent.

20. Disorderly Conduct

(a) All members must observe the Code of Conduct which was adopted by the Council on 4 March 2002, a copy of which is annexed to these Standing Orders.

(b) No member shall at a meeting persistently disregard the ruling of the Chairman, wilfully obstruct business, or behave irregularly, offensively, improperly or in such a manner as bring the Council into disrepute.

(c) If, in the opinion of the Chairman, a member has broken the provisions of paragraph (b) of this Order, the Chairman shall express that opinion to the Council and thereafter any member may move that the member named to no longer be heard or that the member named do leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion. 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 Standards Board.

(d) If either of the motions mentioned in paragraph (c) is disobeyed, the Chairman may adjourn the meeting or take such further steps as may reasonably be necessary to enforce them.

21. Alteration of Resolution

A member may, with the consent of his seconder, move amendments to his own Resolution.

22. Voting on Appointments

Where more than two persons have been nominated for any position to be filled by the Council and of the votes given there is not an absolute majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken, and so on until a majority of votes is given in favour of one person.

23. Discussions and Resolutions Affecting Employees of the Council.

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, it shall not be considered until the Council or committee (as the case may be) has decided whether or not the press and public shall be excluded. (See Standing Order No.35).

24. Expenditure

Orders for the payment of money shall be authorised by resolution of the Council and signed by two members.

25. Sealing of Documents

A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution.

26. Committees and Sub Committees

The Council may at its Annual Meeting appoint standing committees and may at any other time appoint such other committees as are necessary, but subject to any statutory provision in that behalf:

- (a) Shall not appoint any member of a committee so as to hold office later than the next Annual Meeting.
- (b) May appoint persons other than members of the Council to any Committee, and
- (c) May at any time dissolve or alter the membership of the committee.

27. The Chairman and Vice-Chairman, ex-officio, shall be voting members of every Committee

28. Every committee shall at its first meeting before proceeding to any other business, elect a Chairman and may elect a Vice-Chairman, who shall hold office until the next Annual Meeting of the Council, and shall settle its programme of meetings for the year.

29. Special Meeting

The Chairman of a committee or the Chairman of the Council may summon an additional meeting of that committee at any time. An additional meeting shall 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 considered at the special meeting and no other business shall be transacted at that meeting.

30. Chairmen of committees and sub-committees shall in the case of an equality of votes have a second or casting vote.

31. Accounts and Financial Statements

(1) Except as provided in paragraph (2) of this Standing Order or by statute, all accounts for payment and claims upon the Council shall be laid before the Council.

(2) Where it is necessary to make a payment before it has been authorised by the Council, such payment shall be certified as to its correctness and urgency by the appropriate officer. Such payment shall be authorised by the committee, if any, having charge of the business to which it relates, or by the proper officer for payment with the approval of the Chairman or Vice-Chairman of the Council.

(3) All payments ratified under sub-paragraph (2) of this Standing Order shall be separately included in the schedule of payments before the Council.

32. The Responsible Financial Officer shall supply to each member as soon as practicable after 31 March in each year a statement of the receipts and payments of the Council for the completed financial year. The Statement of Accounts of the Council (which is subject to external audit) shall be presented to Council for formal approval.

33. Interests

If a member has a personal interest as defined by the Code of Conduct adopted by the Council on 4 March 2002 then he shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required.

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

34. The Clerk may be required to compile and hold a register of members interests in accordance with agreement reached with the Monitoring Officer of the Responsible Authority and/or as required by statute.

35. All minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council.

36. Unauthorised Activities

No member of the Council or of any committee or sub-committee shall in the name of or on behalf of the Council:

- (a) inspect any lands or premises which the Council has a right or duty to inspect, or
- (b) issue orders, instructions or directions unless authorised to do by the Council or the relevant committee or sub-committee.

37. Admission of the Public and Press to Meetings

The public and press shall be admitted to all meetings of the Council and its committees which may, however, temporarily exclude the public by means of the following resolutions:

“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”.

38. At all meetings of the Council, the Chairman may at his discretion and at a convenient time in the transaction of business, 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.

39. The Clerk shall afford to the press reasonable facilities for the taking of their report of any proceedings at 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.

40. If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that he be removed from the meeting and may adjourn the meeting for such period as is necessary to restore order.

41. Confidential Business

(1) No member of the Council or of any committee or sub-committee shall discuss to any person not a member of the Council any business declared to be confidential by the Council, the committee or the sub-committee as the case may be.

(2) Any member in breach of the provisions of paragraph (1) of this Standing Order shall be removed from any committee or sub-committee of the Council by the Council.

42. Liaison with County and District Councillors

A summons and agenda for each meeting shall be sent, together with an invitation to attend, to the County or District Councillor for the appropriate division or ward.

43. Planning Applications

The Clerk shall refer every planning application received to the Chairman/Chairman of the Planning Committee or in the Chairman's absence to the Vice-Chairman within 48 hours of receipt.

44. Financial Matters

(1) The Council shall consider and approve Financial Regulations drawn up by the Responsible Financial Officer.

(a) Such Regulations shall include detailed arrangements for the following: (a) the accounting records and systems of internal control.

(b) The assessment and management of risks faced by the Council.

(c) The work of the Internal Auditor and the receipt of regular reports from the Internal Auditor which shall be required at least annually.

(d) The financial reporting requirements of members and local electors, and

(e) procurement policies, including the setting of values for different procedures where the contract has an estimated value less than £50,000.

(2) The Council, nor any Committee, is not bound to accept the lowest tender, estimate or quote.

(3) The Financial Regulations of the Council shall be subject to regular review, at least once every four years.

45. Code of Conduct on Complaints

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

46. Variation, Revocation and Suspension of Standing Orders

Any or every part of the Standing Orders may be suspended by resolution in relation to any specific item of business.

47. Standing Orders to be Given to Members

A copy of these Standing Orders shall be given to each member by the Clerk upon delivery to her of the member's declaration of acceptance of office and written undertaking to observe the Code of Conduct' adopted by the Council.