

COSSINGTON PARISH COUNCIL

ISSUE 1.1

STANDING ORDERS

SUB COMMITTEES AND WORKING GROUPS

**ADOPTED BY THE PARISH COUNCIL
ON _____**

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COSSINGTON PARISH COUNCIL

PART A - STANDING ORDERS

PLEASE NOTE: *Wording in italics (red) and underlined cannot be changed or omitted.*

A1 MEETINGS

A1.1 Meetings of the Council shall be held on the third Wednesday of each month (or when this is a Bank Holiday, the first Tuesday), in the Jubilee Hall, Cossington at 6:30pm, unless otherwise decided by the Council at a previous meeting.

- a) Smoking is not permitted at any meeting of the Council.
- b) No political comment or canvassing shall be permitted at meetings.

A1.2 The Statutory Annual meeting in (a) an election year shall be held on the third Wednesday within 14 days of the fourth day after the ordinary day of elections to the Council and (b) in a year which is not an election year, shall be held on the third Wednesday in May.

A1.3 The three other statutory meetings shall be held on the third Wednesday in the months of January, March and September.

A1.4 Additional meetings shall be held on the third Wednesday in the months of February, April, June, July, August, October, November and December.

A1.5 Ordinary Meetings shall be called by the Clerk in accordance with the above. Extraordinary Meetings can be convened at any time by the Chairman. Also by any two members, if the Chairman shall fail to convene such a meeting within seven day of a written request from two members.

A1.6 Members shall receive a summons signed by the Clerk, specifying the business to be transacted, three clear days (excluding the day of issue and actual day of the meeting) before a meeting of the Council. A notice of the time and place of the meeting shall at a similar time be affixed and displayed in a conspicuous place in the locality. The three working days notice shall for normal purposes be taken as three weekdays.

A2 CHAIRMAN OF MEETINGS

A2.1 The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the Meeting.

A3 PROPER OFFICER

A3.1 Where a statute, regulation or order confers functions or duties on the proper officer of 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 disclosing pecuniary interests.
- (c) To receive and retain plans and documents.
- (d) To sign notices or other documents on behalf of the Council.
- (e) To receive copies of bye laws made by a District Council.
- (f) To certify copies of bye laws made by the Council.
- (g) To sign summonses and attend meetings of the Council.

In any other case the proper officer shall be the person nominated by the Council and, in default of nomination, the Clerk.

A4 QUORUM

A4.1 Three members shall constitute a quorum (that is the greater of 3 or one third of the membership – currently 5).

A4.2 If a quorum is not present when the Council meets or if during a meeting the number of Councillors present and not debarred by reason of a prejudicial interest falls below the quorum, the business not transacted at that meeting shall be transacted at the next meeting or on such other day as the Chairman may fix.

A5 VOTING AT MEETINGS OF THE COUNCIL AND OF SUB COMMITTEES

A5.1 Members shall vote by show of hands unless, prior to a vote being taken:

- (a) two members so request it be taken by secret ballot, or
- (b) one member so requests it be taken by a recorded vote

A5.2 If a member so requires, the Clerk shall record the names of the members who voted on any question so as to show whether they voted for or against it.

A5.3.1 Subject to 5.3.2 and 5.3.3 below the Chairman may give an original vote on any matter put to the vote, and in the case of an equality of votes may give a casting vote even though he gave no original vote.

A5.3.2 If the person presiding at the annual meeting would have ceased to be a member but for the statutory provisions which preserve the membership of the Chairman until the end of their term of office he may not give an original vote in an election for Chairman.

A6 ORDER OF BUSINESS

A6.1 In an election year Councillors should execute Declarations of Acceptance of Office in each others presence, or in the presence of a proper officer previously authorised by the Council to take such declaration, before the Annual Meeting commences.

A6.2 At each Annual Meeting the first business shall be:-

- (a) To elect a Chairman (who may serve for a maximum of 3 years continuously unless no other candidate is willing to serve)
 - (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 of office which have not been received as provided by law, shall be received
 - (e) To appoint school governors (when appropriate)
 - (f) To appoint committees
 - (g) To inspect any deeds and trust instruments in the custody of the Council;
- and shall thereafter follow the order set out in Standing Order A6.5.

A6.3 At every meeting other than the Annual Meeting the first business shall be to appoint a Chairman if the Chairman be absent and to receive such declarations of office (if any) as are required by law to be made, or if not then received to decide when they shall be received.

A6.4 In every year not later than the meeting at which the estimates are settled the Council shall review the pay and conditions of service of existing employees. (See Standing Order A12 below.)

A6.5 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 by the person presiding 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 hear questions from the public.
- (g) To receive and consider reports.
- (h) To receive and consider reports from the Clerk.
- (i) To authorise the sealing of documents.
- (j) To authorise the signing of orders for payment.
- (k) To consider resolutions or recommendations in the order in which they have been notified.
- (l) Any other business specified in the summons.

A6.6 A motion to vary the order of business

- (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.

A7 AGENDA ITEMS

A7.1 Except as provided by these Standing Orders, no resolution may be moved or item discussed unless the business to which it relates has been put on the Agenda by the Clerk, or the mover has given notice in writing of its terms and has delivered the notice to the Clerk not later than the Monday ten days before the next meeting of the Council.

A8 RESOLUTIONS MOVED WITHOUT NOTICE

A8.1 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 sub committee.
- (h) To appoint a sub committee or any members thereof.
- (i) To adopt a report.
- (j) To authorise the signing of documents.
- (k) To amend a resolution.
- (l) To give leave to withdraw a resolution or an amendment.
- (m) To exclude the public. (See Standing Order A22.1 below)
- (n) To silence or eject from the meeting a member named for misconduct. (See Standing Order A9 below)

- (o) Notwithstanding Standing Order A18.1, to invite a member having an interest in the subject matter under debate to remain.
- (p) To give the consent of the Council where such consent is required by these Standing Orders.
- (q) To suspend any Standing Order. (See Standing Order A27.1 below.)
- (r) To adjourn the meeting.

A9 DISORDERLY CONDUCT

A9.1 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 to scandalise the Council or bring it into contempt or ridicule.

A9.2 If, in the opinion of the Chairman, a member has broken the provisions of paragraph A9.1 of this Order, the Chairman shall express that opinion to the Council and thereafter any member may move that the member named be no longer heard or that the member named do leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion.

A9.3 If either of the motions mentioned in paragraph A9.2 is disobeyed, the Chairman may suspend the meeting or take such further steps as may reasonably be necessary to enforce it.

A10 REVISION OF PREVIOUS RESOLUTION

A10.1 A decision of the Council (whether affirmative or negative) shall not be reversed within three months, except either by a special resolution, a written notice whereof bears the names of at least 4 members of the Council, or by a resolution moved in pursuance of the report or recommendation of a sub committee.

A10.2 When a special resolution or any other resolution moved under the provision of paragraph A10.1 of this Order has been disposed of, no similar resolution may be moved within a further six months.

A11 VOTING ON APPOINTMENTS

Where more than two persons have been nominated for a position on the Council, or sub committee, or other 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.

A12 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 discussed by the Council until the public has been excluded. (See Standing Order A22.1)

A13 RESOLUTIONS ON EXPENDITURE AND LEGAL MATTERS

A13.1 Once the budget has been agreed by the Council for a financial year, a resolution must be passed and voted upon, to the effect that it be adopted and that the precept incorporated in that budget be set. Should the budget subsequently be amended, the amended budget should similarly be formally adopted by resolution.

A13.2 Any proposal to enter the Council into a legally binding agreement (other than for the supply of goods and services), must be put to the Council by resolution and voted upon. Where legal documents require to be signed on behalf of the Council, the resolution should state who is to sign on behalf of the Council; this will normally be the Clerk and two members of the Council.

A14 EXPENDITURE

A14.1 Orders for the payment of money shall be authorised by resolution of the Council and signed by the Clerk and two members.

A14.2 The Clerk is authorised to commit expenditure without prior authorisation up to £250 on stationery, stamps and other expendable items which are necessary for the smooth running of the Council. Not to be repeated until the first instance item is approved by the Council.

A15 SUB COMMITTEES AND WORKING GROUPS

A15.1 The Council may at its Annual Meeting appoint sub committees and working groups and may at any other time appoint such other sub committees as are necessary, but subject to any statutory provision in that behalf:-

- (a) shall not appoint any member of a sub committee so as to hold office later than the next Annual Meeting,
- (b) may, subject to the provisions of Standing Order A10 above, at any time dissolve or alter the membership of a committee

A15.2 The Chairman shall be an ex officio member of every sub committee. Other members of the Council may attend meetings of any sub committee or working group, but may not vote.

A15.3 all meetings of sub committees and working groups shall be held in public meeting places or openly in private houses. Meetings shall not be held on premises licensed to sell alcohol.

A15.4 Every sub committee and working group shall, at its first meeting, before proceeding to any other business, elect a Chairman and may elect a Vice Chairman both of whom shall hold office until the next Annual Meeting of the Council.

A15.5 The Chairman of a sub committee or the Chairman of the Council may convene an additional meeting of that committee at any time. An additional meeting shall also be convened on the requisition in writing of not less than a quarter of the members of the committee. At least three days notice of any meeting must be given to the public (see A1.6) and to all members of the sub committee or working group (unless all members can attend at an earlier date).

A15.6 The task of each sub committee or working group is to discuss issues within its remit (as set out in Section B below), and to bring recommendations forward to the full Council. Sub committees and working groups have no power to take decisions on behalf of the Council, or to bind the Council to any contract or course of action, except those specifically delegated in Section B.

A15.7 If any member of the Council, either being present at the sub committee, or by giving notice in writing to the Chairman of the sub committee before the meeting, requests that a particular matter be decided by the full Council then that matter shall not be decided by the sub committee under its delegated powers but may be subject to a recommendation to the Council.

A15.8 The Chairman of each sub committee or working group is responsible for drawing up a timetable of meetings 4 months ahead and advising the Clerk on a monthly basis of any revisions to the timetable, and also providing an agenda for the next scheduled meeting. The Clerk will in turn advise all members of the details of the meeting and distribute the agenda. The sub committee Chairman is also responsible for arranging for members to have copies of any relevant papers, and for reporting recommendations to the full Council.

A15.9 a quorum of a sub committee shall be one half of its members, rounded if necessary to the next whole number above.

A15.10 The normal rules concerning Councillors interests (see A18) apply to all subcommittees and working groups.

A15.11 Sub committees and working groups shall have at least two Councillors as members, who shall co-opt up to eight further members as agreed by the Council. However only Councillors can vote on Recommendations which are to be placed in front of the full Council.

A16 ACCOUNTS AND FINANCIAL STATEMENT

A16.1 Except as provided in paragraph A16.2 of this Standing Order or by statute, all accounts for payment and claims upon the Council shall be laid before the Council.

A16.2 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 Clerk. Such payment shall be authorised by the subcommittee, if any, having charge of the business to which it relates, or by the Clerk for payments with the approval of the Chairman or Vice Chairman of the Council.

A16.3 All payments ratified under sub paragraph A16.2 of this Standing Order shall be separately included in the next schedule of payments laid before the Council.

A17 ESTIMATES/PRECEPTS

A17.1 The Council shall approve the budget for the coming financial year at its meeting in the month of November and set the precept for final approval of the precept at the December meeting. (See A13.1).

A17.2 Any sub committee desiring to incur expenditure shall, not later than the last day of October give the Clerk a written detailed preliminary estimate of the expenditure recommended for the coming year. This estimate is to be finalized in time for any changes to be incorporated in the papers issued with the Agenda for the December meeting i.e. 7 full days ahead of the meeting.

A18 INTERESTS

A18.1 All Councillors will act in accordance with the Model Code of Conduct 2007. Any member who has a prejudicial interest in any matter under discussion shall declare it, but may remain and speak to the meeting as a member of the public. He may not vote and must not seek improperly to influence a decision about that matter. The Chairman may ask the member to retire from the room once he has addressed the meeting.

A18.2 The Clerk shall record in a book to be kept for the purpose, particulars of any notice given by any member or any officer of the Council of a prejudicial interest in a contract, and the book shall be open during reasonable hours of the day for inspection of any member.

A19 CANVASSING OF AND RECOMMENDATIONS BY MEMBERS

A19.1 Canvassing of members of the Council or of any sub committee, directly or indirectly, by any individual, company or organisation in connection with the possible appointment of that individual, company or organisation by the Council for the supply of goods or services shall disqualify the individual, company or organisation from such appointment. The Clerk shall make known the purport of this Standing Order to every such individual, company or organisation.

A19.2 A member of the Council or of any sub committee shall not solicit for or recommend any individual, company or organisation for any such appointment for the supply of goods or services, or for promotion; but, nevertheless, any such member may give a written testimonial of the ability, experience or character of any individual, company or organisation for submission to the Council with an application for appointment.

A20 INSPECTION OF DOCUMENTS

A20.1 A member may for the purpose of his duty as such (but not otherwise), inspect any document in possession of the Council or a sub committee, and if copies are available shall, on request, be supplied for a like purpose with a copy.

A20.2 All Minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council.

A21 UNAUTHORISED ACTIVITIES

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

- (a) Issue orders, instructions or directions; or
- (b) Make any commitment

unless authorised to do so by the Council or the relevant sub committee.

A22 ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

A22.1 The public shall be admitted to all meetings of the Council and its subcommittees and working groups, although it may be necessary to temporarily exclude the public by a declaration by the Chairman that the business about to be conducted is of a confidential nature and a request that "the public are requested to leave the meeting". In practice all such business will, if possible, be scheduled as the last item(s) on the agenda.

A22.2 The Clerk shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present.

A22.3 If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that they be removed from the meeting.

A22.4 At appropriate points on the agenda the public will be entitled to put questions and make comment to the Chairman, to be answered by the Chairman, unless otherwise directed by the Chairman.

A22.5 Unless invited to do so by the Chairman, no Councillor shall address a member of the public during a Council meeting.

A23 CONFIDENTIAL BUSINESS

A23.1 No member of the Council shall disclose to any person not a member of the Council any business declared to be confidential by the Council.

A23.2 Any member in breach of the provision of Standing Order A23.1 may be removed from any sub committee of the Council by the Council.

A24 LIAISON WITH DISTRICT AND COUNTY COUNCILLORS

A24.1 A notice of meeting together with a copy of the Council minutes shall be sent to the District Councillors for the district ward, and to the County Councillor for the county division.

A25 STANDING ORDER ON CONTRACTS

A25.1 Where it is intended to enter into a contract for the supply of goods or services the following rules will apply (all values exclusive of VAT, where this is recoverable):

(a) of value up to £500, the council shall strive to obtain three quotations unless the de minimis principle applies or the Council considers that the work can be undertaken competitively and efficiently by a regular contractor;

(b) of value greater than £500 up to £5000, three quotations will be sought;

(c) of value greater than £5000 up to £15000, three quotations will be sought and, if thought appropriate, professional opinion obtained;

(d) of value greater than £15000, three quotations will be sought (one of which should be from the list of contractors maintained by the District Council, or other specialist) and professional opinion obtained. (This does not preclude the use of the District Council list for quotations for work of a lesser value.)

A25.2 Notice of a contract exceeding £5000 shall state the general nature of the intended contract and state that tenders are to be addressed to the Clerk and the last date by which those tenders should reach that person in the ordinary course of post.

A25.3 Tenders shall be opened by the Clerk on the date specified pursuant to Standing Order A25.2 and shall be reported to the Council or, where the tenders have been sought by a sub committee to that sub committee.

A25.4 Neither the Council nor any sub committee is bound to accept the lowest tender.

A25.5 If no tenders are received or if all the tenders are identical the Council may make such arrangements for procuring the goods or materials or executing the works as it sees fit.

A25.6 A notice issued under this Standing Order shall contain a statement of the effect of Standing Orders Nos A19.1 and A19.2.

A26 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 the manner recommended by the National Association of Local Councils.

A27 VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

A27.1 Any or every part of these Standing Orders, except those printed in italics and underlined, may be suspended for the time being by resolution in relation to any specific

item of business, such resolution to be agreed by a majority of the members of the Council present.

A27.2 A resolution permanently to add, vary or revoke a Standing Order shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

A28 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 him of the member's declaration of acceptance of office.

A29 COMMUNICATIONS

A29.1 All communication, written and verbal, between the Council and others must be effected through the Clerk, unless otherwise agreed by the Council. All correspondence issued on behalf of the Council must be prepared and signed by the Clerk with copies being sent to the Chairman and other Councillors as appropriate. Incoming correspondence should be addressed to the Clerk and opened by him/her. Copies of incoming correspondence will be sent to the Chairman and other Councillors as appropriate for action. Any correspondence received by Councillors must be forwarded to the Clerk without any action being taken.

A29.2 For the purposes of these Standing Orders "correspondence" includes letters, faxes, e-mails and any other non verbal means.

A29.3 Enquiries by the press or a request for a statement must be directed to the Clerk. No Councillor, with the exception of the Chairman, or in his/her absence the Vice Chairman has authority to make statements on behalf of the Council unless authorised by the Chairman, or in his absence the Vice Chairman.

PART B - THE ROLE AND REMIT OF SUB COMMITTEES AND WORKING GROUPS

The task of each sub committee or working group is to discuss issues within its remit, and to bring recommendations forward to the full Council. Sub committees and working groups

have no power to take decisions on behalf of the Council, or to bind the Council to any contract or course of action, except those specifically delegated in Section B.

The Chairman of each sub committee or working group is responsible for convening meetings, arranging for members to have copies of the relevant papers, and for reporting recommendations to the full Council.