



Dodington Parish Council

STANDING ORDERS

These Standing Orders were adopted by the Council at its meeting held on 10th May 2017.

MEETINGS

1. a) Subject to the statutory requirements, meetings of the Council shall be held in each year on such dates and times and such place as the Council may direct. Business shall be terminated at 9.30pm except when resolved otherwise.

b) The following are not permitted at any meeting of the Council, including its committees, sub committees and advisory committees:-
 - (a) smoking
 - (b) animals, except assistance dogs
2. The Statutory Annual Meeting
 - a) In an election year the Annual Meeting of the Parish Council 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 an election year the Annual Meeting of the Parish Council shall be held on such day in May as the Council may direct.
3. In addition to the Statutory Annual Meeting of the Parish Council at least three other statutory meetings shall be held in each year on such dates and times and at such place as the as the Council may direct.

CHAIRMAN OF THE MEETING

4. **The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting. The Chairman of the Council shall normally wear the badge of office when presiding at any meeting of the Council.**

PROPER OFFICER

5. Where a statute, regulation or order confers function or duties on the Proper Officer of the Council in the following cases, he or she shall be the Clerk or nominated officer:-
 - (a) to receive declarations of acceptance of office;
 - (b) to receive and record notices disclosing interests at meetings;
 - (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 bylaws made by another local authority;
- (f) to certify copies of bylaws made by the Council;
- (g) to sign and issue the summons to attend meetings of the Council and distribute electronically – or if requested by hard copy; and
- (h) to keep proper records for all Council meetings.

QUORUM OF THE COUNCIL

- 6. Three members or one-third of the total membership, whichever is the greater, shall constitute a quorum at meetings of the Council. (LGA 1972 Sch 12 Para 12)**
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 shall be transacted at the next meeting or on such other day as the Chairman may fix.
8. For a quorum relating to a committee or sub-committee, please refer to Standing Order 50.

VOTING

9. Members shall vote by show of hands or, if at least two Members so request, by signed ballot.
- 10. 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. Such a request must be made before moving on to the next business.**
- 11. (a) Subject to (b) and (c) below, the Chairman may give an original vote on any matter put to the vote, and in any case where the votes are equal may give a casting vote whether or not he or she gave an original vote.**
(b) 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 or she may not give an original vote in an election for Chairman.
(c) The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.

ORDER OF BUSINESS

- 12. At each Annual Meeting of the Council 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 of office and written undertakings to observe the code of conduct adopted by the Council which have not been received as provided by law, shall be received;

(e) to elect a Vice-Chairman of the Council;

(f) to appoint committees and sub-committees;

(g) to appoint representatives to outside bodies;

(h) to confirm delegation; and

(i) thereafter, shall follow the order set out in Standing Order 15.

13. At every meeting other than the Annual Meeting of the Council the first business shall be to appoint a Chairman, if the Chairman and Vice-Chairman are 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.

14. In every year, **at the Finance & General Purposes Committee Meeting in January, when the estimates for the next year are settled**, the Council shall settle the pay and conditions of service of existing employees. Standing Order 37 must be read in conjunction with this requirement.

15. 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 and Clerk's Report - 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) 'the Minutes to have been taken as read' means that as all Councillors will have had an opportunity to read the previous meeting Minutes prior to the current meeting, it is not necessary for the Chairman to go through each page individually asking for comments or observations. It was agreed that the Clerk's report would be looked at page by page;

(c) Members who do not serve on a specific Committee will not be able to comment on the accuracy of the Minutes. Amendments to the accuracy of the Minutes will be recorded (minuted) in the normal way at the following meeting;

(d) in order to keep Committee Minutes 'current', they will be sent out to Members of the Committee in the week after the meeting whilst they have a fresh recollection of events. Those Councillors not on a Committee will be sent the Minutes along with Full Council papers as is currently the case, but will be unable to comment on them, as (c) above.

(e) to approve the signature of the Minutes by the person presiding as a correct record, unless approved at a previous meeting;

(f) to deal with business expressly required by statute to be done;

(g) to dispose of business, if any, remaining from the last meeting; and

(h) any other business specified in the summons.

URGENT BUSINESS

16. A motion to vary the order of business on the ground 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.

RESOLUTIONS MOVED ON NOTICE

17. Except as provided by these Standing Orders, no resolution may be moved 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 at least 7 clear days before the next meeting of the Council.
18. The Clerk shall insert in the summons for every meeting all notices of motion or recommendation properly given in the order in which they have been received unless the Member giving a notice of motion has stated in writing that he or she intends to move at some later meeting or that he or she withdraws it.
19. If a resolution or recommendation specified in the summons is not moved either by the Member who gave notice of it or by any other Member, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.
20. A resolution or recommendation moved on notice shall be dealt with at the meeting at which it was moved unless the Council decides that it should be referred to a committee, sub committee or advisory committee for report.
21. Every resolution or recommendation shall be relevant to some subject over which the Council has power or duties which affects its area.

RESOLUTIONS MOVED WITHOUT NOTICE

22. 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 extend the time limit for speeches;
 - (n) to exclude the press and public (see Standing Order 69 below);
 - (o) to silence or eject from the meeting a Member named for misconduct (see Standing Order 32 (c) below);
 - (p) to give the consent of the Council where such consent is required by these Standing Orders;
 - (q) to suspend any Standing Orders (see Standing Order 83 below); and
 - (r) to adjourn the meeting.

QUESTIONS

23. A Member may ask the Chairman of the Council or the Clerk any question concerning the business of the Council, provided notice of the question has been given to the person to whom it is addressed before the meeting begins.
24. No questions not connected with business under discussion shall be asked except during the part of the meeting set aside for questions.
25. Every question shall be put and answered without discussion.
26. A person to whom a question has been put may decline to answer.

RULES OF DEBATE

27. No discussion shall take place upon the Minutes except upon their accuracy. Corrections to the Minutes shall be made by resolution.
- 28.(a) A resolution or amendment shall not be discussed unless it has been proposed and seconded, and, unless proper notice has already been given, it shall, if required by the Chairman, be reduced to writing and handed to him or her before it is further discussed or put to the meeting.
 - (b) A Member when seconding a resolution or amendment may, if he then declares his intention to do so, reserve his speech until a later period of the debate.
 - (c) A Member shall direct his or her speech to the question under discussion or to a personal explanation or to a question of order.
 - (d) No speech shall exceed 5 minutes except by consent of the Council.
 - (e) An amendment shall be:-
 - (i) to leave out words;
 - (ii) to leave out words and insert others; or
 - (iii) to insert or add words.
 - (f) An amendment shall not have the effect of negating the resolution before the Council.
 - (g) 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.
 - (h) A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
 - (i) The mover of a resolution or of an amendment shall have a right of reply limited to 3 minutes.
 - (j) A Member, other than the mover of a resolution, shall not, without leave of the Council, speak more than once on any resolution except to move an amendment or further amendment, or on an amendment, or on a point of order, or in personal explanation, or to move a closure.

- (k) A Member may speak on a point of order or a personal explanation. A Member speaking for these purposes shall be heard forthwith. A personal explanation shall be confined to some material part of a former speech by him or her which may have been misunderstood.
- (l) A motion or amendment may be withdrawn by the proposer with the consent of the Council, which shall be signified without discussion, and no Member may speak upon it after permission has been asked for its withdrawal unless such permission has been refused.
- (m) 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 a Member named be not further heard;
 - vi. that a Member named do leave the meeting;
 - vii. that the resolution be referred to a committee;
 - viii. to exclude the public or the press or both; and
 - ix. to adjourn the meeting.

29. A Member shall remain seated when speaking unless requested to stand by the Chairman.

30.(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 seated and silent.

CLOSURE

31. At the end of any speech a Member may, without comment, move "that the question be now put", "that the debate be now adjourned" or "that the Council do now adjourn". If such motion is seconded, the Chairman shall put the motion but, in the case of a motion "that the question be now put", only if he is of the opinion that the question before the Council has been sufficiently debated. If the motion "that the question be now put" is carried, he or she shall call upon the mover to exercise or waive his or her right of reply and shall put the question immediately after that right has been exercised or waived. The adjournment of a debate or of the Council shall not prejudice the mover's right of reply at the resumption.

DISORDERLY CONDUCT

32.(a) **All Members must observe the Code of Conduct most recently adopted by the Council on 29th August 2012, 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 to bring the Council into disrepute.**

(c) If, in the opinion of the Chairman, a Member has acted in a manner contrary to that required, the Chairman shall express that opinion to the Council and, thereafter, any Member may move that the Member named be no longer heard or 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 Monitoring Officer, South Gloucestershire Council.**

(d) If the motion 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.

RIGHT TO REPLY

33. The mover of a resolution shall have a right to reply immediately before the resolution is put to the vote. If an amendment is proposed the mover of the amendment shall be entitled to reply immediately before the amendment is put to the vote. A Member exercising a right of reply shall not introduce a new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

ALTERATION OF RESOLUTION

34. A Member may, with the consent of his or her seconder, move amendments to his or her own resolution.

REVERSAL OF PREVIOUS RESOLUTION

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

(b) When a special resolution or any other resolution moved under the provisions of paragraph (a) of this Order has been disposed of, no similar resolution may be moved within a further six months.

VOTING ON APPOINTMENTS

36. 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.

DISCUSSIONS AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL

37. 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 69).

RESOLUTIONS ON EXPENDITURE

38. Any resolution which is moved otherwise than in pursuance of a recommendation of the Finance and General Purposes Committee or of another committee after recommendation by the Finance and General Purposes Committee and which, if carried, would, in the opinion of the Chairman substantially increase the expenditure upon any service which is under the management of the Council or reduce the revenue at the disposal of any committee, or which would involve capital expenditure, shall, when proposed and seconded, stand adjourned without discussion to the next Ordinary Meeting of the Council, and any committee affected by it shall consider whether it desires to report thereon (and the Finance and General Purposes Committee shall report on the financial aspect to the matters).
- 39. Orders for the payment of money shall be authorised by resolution of the Council and signed by two Members.**

SEALING OF DOCUMENTS

- 40.(a) A document shall not be sealed or signed on behalf of the Council unless its sealing or signing has been authorised by a resolution.
- (b) Any two members of the Council named in a resolution moved under the provisions of paragraph (a) of this order may seal, on behalf of the Council, any document required by law to be issued under the seal.

COMMITTEES

41. The Council may at its Annual Parish Council 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 at any time dissolve or alter the membership of a committee; and
 - (c) agree upon delegated powers for standing committees until the next Annual Meeting.
42. The Chairman and Vice-Chairman ex-officio shall be voting members of each committee.
43. Each 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.

SPECIAL MEETING

44. 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.

SUB-COMMITTEES

45. Each committee may appoint sub-committees or steering/working groups for purposes to be specified by the committee.
46. The Standing Orders on rules of debate (except those parts relating to standing and to speaking more than once) and the Standing Order on interests of Members in contracts and other matters shall apply to committee and sub-committee meetings.

ADVISORY COMMITTEES

47. The Council may create advisory committees or steering/working groups whose name, and number of Members and the bodies to be invited to nominate Members, shall be specified.
48. The Clerk shall inform the Members of each advisory committee of the terms of reference of the committee.
49. An advisory committee may make recommendations and give notice thereof to the Council.

VOTING IN COMMITTEES

50. Except where a higher number is ordered by the Council, the quorum of a committee, sub-committee or steering/working group shall be one third of its members who are Parish Councillors (rounded up in the case of odd numbers) or three, whichever is the greater figure, except that no quorum shall be less than three elected Councillors.
51. Members of committees and sub-committees entitled to vote, shall vote by show of hands, or, if at least two Members so request, by signed ballot. **Chairman of committees and sub-committees shall in the case where the votes are equal have a second or casting vote.**

PRESENCE OF NON-MEMBERS OF COMMITTEES AT COMMITTEE MEETINGS

52. A Member who has proposed a resolution which has been referred to any committee of which he or she is not a member, may explain his or her resolution to the committee but shall not vote.

ACCOUNTS AND FINANCIAL STATEMENT

53. All accounts for payment and claims upon the Council shall be reported to the Council.

54. All payments made will comply with the Council's Financial Regulations which are attached to these Standing Orders.
55. 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. A Financial Statement prepared on the appropriate accounting basis for a year to 31 March shall be presented to Council for formal approval before submission to the external auditor.

ESTIMATES/PRECEPTS

56. Each committee shall prepare and approve a written estimate of the expenditure recommended for the forthcoming financial year. Such estimate shall be placed before the Finance and General Purposes Committee for consideration in preparing the recommendations to be placed before the Council at its meeting (in December for January) when the precept requirements shall be set.
57. Unless specifically authorised by resolution of the Council, no expenditure shall be incurred by a committee unless such expenditure is in accordance with its aims, objectives and total budget previously agreed by the Council.

INTERESTS

- 58. If a Member has a Disclosable Pecuniary Interest (DPI) as defined by the Code of Conduct adopted by the Council on 29th August 2012 then he or she shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required.**
- 59. If a Member who has declared a DPI then considers the interest to be prejudicial, he or she must withdraw from the room or chamber during consideration of the item to which the interest relates.**
- 60. The Clerk may be required to compile and hold a Register of Members' Interests, or a copy thereof, in accordance with agreement reached with the Monitoring Officer of the Responsible Authority and/or as required by statute.**
61. If a candidate for any appointment under the Council is to his or her knowledge related to any member of or the holder of any office under the Council, he or she and the person to whom he or she is related shall disclose the relationship in writing to the Clerk. A candidate who fails so to do shall be disqualified for such appointment and, if appointed, may be dismissed without notice. The Clerk shall report to the Council or to the appropriate committee any such disclosure. Where relationship to a Member is disclosed this Standing Order shall apply.
62. The Clerk shall make known the purpose of this Standing Order to every candidate.

CANVASSING OF AND RECOMMENDATIONS BY MEMBERS

63. Canvassing of Members of the Council or of any committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make known the purpose of this sub-paragraph of this Standing Order to every candidate.

64. A Member of the Council or of any committee shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but, nevertheless, any such Member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
65. Standing Orders 61, 63 & 64 shall apply to tenders as if the person making the tender were a candidate for an appointment.

INSPECTION OF DOCUMENTS

66. A Member may for the purpose of his duty as such (but not otherwise), inspect any document in possession of the Council or a committee, and if copies are available shall, on request, be supplied for the like purpose with a copy.
- 67. All Minutes kept by the Council and by any committee shall be open for the inspection of any Member of the Council.**

UNAUTHORISED ACTIVITIES

68. Unless specifically authorised by the Council or the relevant committee, 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 to the Council's staff or contractors; or
 - (c) make any statement or take any action in the name of, or on behalf of, the Council, or purporting to be or likely to be construed as to be in the name of, or on behalf of, the Council, which either commits the Council to any expenditure or commits or appears to commit the Council to any particular course of action.

ADMISSION TO THE PUBLIC AND PRESS TO MEETINGS

69. **The public and press shall be admitted to all meetings of the Council and its committees and sub-committees which may, however, temporarily exclude** the public and press 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”.
70. The Council, committee or sub-committee shall state the “special” reason for exclusion and shall normally treat the following types of business as “confidential”:-
- (a) engagement, terms of service, conduct and dismissal of employees;
 - (b) terms of tenders, and proposals and counter-proposals in negotiation for contracts;
 - (c) preparation of cases in legal proceedings;
 - (d) the early stages of any dispute.

71. At all meetings of the Council, the Chairman may at his or her 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.
72. The Clerk shall afford to the press and public reasonable facilities for recording any proceedings at which they are entitled to be present. During confidential sessions recording equipment must be removed from the Council meeting or Committee meeting at the same time as the press and public leave the room.
73. If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that he or she be removed from the meeting and may adjourn the meeting for such period as is necessary to restore order.

CONFIDENTIAL BUSINESS

74. No Member of the Council or any committee or sub-committee shall disclose 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.
75. Any Member in breach of the provisions of Standing Order 74 shall be suspended or removed from any committee or sub-committee of the Council by the Council.

LIAISON WITH SOUTH GLOUCESTERSHIRE COUNCILLORS

76. Notice of Council meetings shall be sent for information to Councillors representing South Gloucestershire wards within the Parish.

PLANNING APPLICATIONS

77. The Clerk shall refer every planning application to the next meeting of the Council or any of its committees as appropriate to ensure that comment is made to the planning authority within the time limit specified.
78. If the time limit cannot be met by referral to a scheduled meeting and an extension of time is not possible, then the Clerk shall submit comment after consultation with the Chairman and/or Vice Chairman of the Planning Committee and, in the case of applications in the south (rural) ward, with one of the Members representing that ward, if available.

FINANCIAL & CONTRACTUAL MATTERS

79. These are governed by the Financial Regulations which have been approved by the Council and are attached to these Standing Orders.
80. The Financial Regulations shall be subject to regular review, at least once every **year, in May**.

LEAVE OF ABSENCE

81. Any Member who wishes to be granted formal leave of absence shall give notice to the Clerk detailing the reasons for the absence and the anticipated period of time. This shall be presented to the Council for consideration.

CODE OF CONDUCT ON COMPLAINTS

82. 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.

VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

83. Any part of the Standing Orders except those having the force of law (**printed in bold type**) may be suspended by resolution in relation to any specific item of business.
84. A resolution permanently to add, vary or revoke a Standing Order shall unless it is a motion to adopt the recommendation of the Finance and General Purposes Committee when proposed and seconded, stand adjourned without discussion to the next Ordinary Meeting of the Council.

STANDING ORDERS TO BE GIVEN TO MEMBERS

85. A copy of these Standing Orders, together with the attached Financial Regulations, shall be given to each Member by the Clerk upon delivery to him of the Member's Declaration of Acceptance of Office and written undertaking to observe the Code of Conduct adopted by the Council.

REVISION OF STANDING ORDERS

86. It shall be the duty of the Council to review the Standing Orders of the Council **every year, in May** alongside the Financial Regulations.