

# Foston on the Wolds Parish Council

## Standing Orders

(Last amended 30 August 2014)

### Standing Orders

#### Interpretation

These Standing Orders are based upon the Draft Standing Orders for Local Councils published by the National Association of Local Councils (NALC) 1991, which have been adopted by this Council so far as they are not varied or inconsistent with the Regulations set out below.

In these Regulations words importing one gender include all other genders and the singular includes the plural and vice versa.

#### Powers and Duties of the Chairman

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

#### Proper Officer

The Proper Officer of the Council is the Clerk. The responsible Financial Officer of the Council is the Clerk. Other duties of the Clerk are to be laid down in their Conditions of Contract.

#### Quorum

Four members shall constitute a Quorum.

If a Quorum is not present when the Council meets or if during a meeting the number of Councillors, for whatever reason, 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 decide.

#### Voting

Members shall vote by show of hands unless the meeting decides otherwise. If any member so requires the Clerk shall record the names of the members who voted on any question and how they voted.

The Chairman may give an original vote on any matter put to the vote and, in the case of equality of votes, may give a casting vote, even though they gave no original vote.

## **Order of Business**

The order of business shall be stated on an agenda paper, which shall be delivered to each member at least three clear days before the date of the meeting along with the summons convening the meeting.

## **Attendance**

Parish council meetings are open to the public and press. However, they may be excluded for part of the meeting if the council resolves that publicity would be prejudicial to the public interest, or for other special reasons stated in the resolution.

Any member of the public is welcome to attend for any part (or all) of the meeting. A public session is held near the start of the meeting to enable individuals to raise matters of concern.

(Note that once the formal business has commenced, members of the public cannot speak unless specifically invited to by the Chairman).

## **Recording of Parish and Town Council Meetings**

Amendments to the Public Bodies ( Admission to Meetings ) Act 1960 now provide that members of the public can film , photograph or make an audio recording of proceedings at meetings of Town and Parish Councils for those parts of the meeting that are open to the press and public.

The 1960 Act at section 1(4) already provides that where a meeting is open to the press and public then, inter alia, accredited representatives of newspapers shall be afforded reasonable facilities for taking their report. The amendments add a provision that whilst a meeting is open to the public any member of the public is allowed to report on the meeting. Reports means – Filming, photographing or making an audio recording of proceedings at a meeting and using any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later, or reporting or providing commentary on proceedings at a meeting orally or in writing so that the report or commentary is available as the meeting takes place or later to persons not present.

However Councils are not required to permit oral reporting or oral commentary on a meeting as it takes place if the person providing the commentary is present at the meeting. In other words members of the public present at the meeting can during those sections of the meeting that are open to the public –

- Film proceedings
- Take photographs
- Make an audio recording
- Provide a non-audio commentary i.e. by tweeting or making other postings on social media sites whilst the meeting is proceeding Councils are not required to allow members of the public to provide an oral commentary on

proceedings whilst they are present at the meeting (clearly such a practise may be distracting and disruptive). Councils can also prohibit persons from seeking to record those parts of the meeting that are closed to the public i.e. by leaving a recording device in the room whilst they are absent.

The above provisions remain without prejudice to any power of a Council to exclude persons to prevent disorderly conduct or other misbehaviour. In other words if a person who is seeking to record a meeting acts in a manner that is disruptive they can be excluded from the meeting.

There is an issue relating to the filming of members of the public. Whilst elected Members will given the new rules have to expect that they may be filmed that is not necessarily the case with members of the public. Some Councils may have a public participation section prior to the start of the meeting proper and it may be that members of the public who speak as part of this may have views as to whether or not they wish to be filmed. At this Council we are adopting the practise of asking members of the public who may speak at a meeting if they would object to being filmed and if they indicate that they would object asking via the Chairman for those who wish to film or record proceedings to respect their wishes.

### **Resolutions Moved On Notice**

Except as provided by these by these Standing orders, no resolution may be moved unless the business to which it relates has been included on the Agenda by the Clerk.

Members may put an item on the Agenda by giving the Clerk written notice of the resolution at least seven clear days before the next meeting of the Council.

Every resolution, amendment or recommendation shall be relevant to some subject over which the Council has the power or which affects its area.

### **Resolutions Moved Without Notice**

Resolutions may be moved without notice on procedural matters, or to vary the order of business on the grounds of urgency. Such resolutions shall be put to the vote without discussion.

### **Rules of Debate**

All remarks shall be addressed to the Chairman.

No discussion shall take place upon the minutes except upon their accuracy.

Corrections to the minutes shall be made by resolution and must be initialled by the Chairman.

A member shall, except as provided by these Standing Orders, only be entitled to speak once on any motion or amendment.

A member shall direct their comments to the question under discussion or to a

personal explanation or to a point of order.

No speech by a mover of a resolution shall exceed three minutes and no other speech shall exceed two minutes except by consent of the Council.

The mover of a resolution shall have a right of reply not exceeding one minute. The ruling of the Chairman on a point of order or on the admissibility shall not be discussed.

A representative of the local Constabulary shall be allowed to speak at Council meetings at the discretion of the Chairman.

Whenever the Chairman rises to their feet during a debate all other members shall be seated and silent.

### **Closure**

A motion of closure of a debate may be moved at any time, but must be proposed and seconded without comment. The Chairman may refuse such motion if they feel that the question before the Council has not been sufficiently debated.

### **Rescission of Previous Resolutions**

A decision (whether affirmative or negative) of the Council shall not be reversed within six months except by a special resolution, the written notice whereof bears the names of at least three members of the Council.

When such a resolution has been disposed of, no similar resolution may be moved within a further six months.

### **Confidential Business**

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

### **County and District Councillors**

County and District Councillors who are not also Parish Councillors, shall be invited to attend meetings and be sent copies of agendas, minutes and other relevant documents, on request. They may be allowed to speak at the discretion of the Chairman.

### **Length of Meetings**

Except at the Chairman's discretion, all meetings of the Council shall finish not later than two hours after their commencement. Any business not transacted shall be carried over to the next meeting or such other date as the Chair may decide.

### **Suspension of Standing Orders**

Standing Orders may be suspended for a specified period of time by

resolution.

### **Smoking**

No smoking shall be permitted at meetings.

### **Standing Orders to be given to Members**

A copy of these Standing Orders shall be given to each member by the Clerk upon receipt of the member's declaration of acceptance of office.

### **The Handling of Anonymous Correspondence**

#### **Aim**

The Parish Council may consider the need for a Policy regarding the handling of anonymous correspondence.

#### **Background**

1. To ensure the Member Code of Conduct represents as many potential situations as possible it is prudent that the Council introduce a policy regarding anonymous correspondence.

#### **Current Position**

2. The Code does not cover any general policies regarding the handling of anonymous correspondence. Policies dealing with specific areas such as whistle blowing, fraud and criminal matters are clearer, and in these cases the desire to maintain anonymity is understood but further action will normally only be followed up if there is supporting evidence or corroboration.

3. Anonymity used when giving support or objection will not normally be considered since the issue is unlikely to place any risk on the writer and such choice of anonymity questions the sincerity of the writer. The majority of newspapers will not print anonymous letters for this reason. This should, however, be contrasted with electronic messages which can hide the sender by e-mail address or an acronym.

4. It would be difficult to formulate a policy which would deal with the handling of all types of anonymous correspondence although it would be possible to give guidance along the following lines:

- The Council will not normally consider anonymous letters or other anonymous communications unless it has corroborating evidence.
- The Council reserves the right to exercise its discretion whether to consider

or investigate anonymous disclosures.

- The Council reserves the right to take any anonymous merits allegation on its own facts and invoke such procedures as are necessary
  - The Council reserves the right to take no action.
  - The exceptions to these approaches will be any anonymous letters which allege a criminal offence, fraud or irregularity and are accompanied by, or there exists, supporting information which suggests the anonymous allegation can be substantiated.
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## **Financial Regulations**

### **Expenditure**

Orders for payment of money shall be authorised by resolution of the Council. Such resolutions on expenditure can only be considered where included as an agenda item of the meeting considering the expenditure.

### **Signing of Cheques**

Cheques in payment of amounts due shall be signed by the authorised members of the Council, who should add their initials to the counterfoil of the cheque. Invoices must be available, at the time of signing, to members signing cheques who should confirm the validity and amount of payment prior to signing. Cheques are to be signed at meetings at which the payment is approved.

### **Authorised Members for Signing Cheques**

A minimum of two members shall be authorised by resolution of the Council and shall include the Clerk and one Councillor.

### **Sealing of Documents**

Any two members of the Council authorised by resolution of the Council may seal documents on behalf of the Council. A document shall not be sealed on behalf of the Council unless its sealing has been authorised by the council.

### **Interests**

If any member has a pecuniary interest within the meaning of Section 94-95 of the Local Government Act, 1972, in any matter under consideration by the Council they shall withdraw from the meeting while the matter is under consideration unless invited to stay by the Council.

### **Contracts**

In respect of the supply of goods or services or materials or the execution of

works, the Clerk shall seek to obtain competitive quotations. For values of £500 to £2000 a minimum of two quotations and for values of £2000 to £10000 three quotations are required.

Acceptance of quotations shall be by resolution of the Council. The Council shall not be bound to accept the lowest tender.

### **Accounts and Financial Statements**

The Clerk shall have available at every meeting a financial statement of payments made and received since the previous meeting of the Council together with reconciliation between the accounts and the balance held in bank accounts.

### **Bank Accounts**

The Council shall maintain a current account, in addition the Council may maintain deposit accounts as it deems necessary.

### **Estimates / Precept**

The Council shall approve written estimates for the coming financial year at its meeting in the months of either November or December of the preceding year, or January, as requested by the principal authority.

### **Accounts**

The Clerk shall maintain the accounts of the Council in the form prescribed by The Accounts and Audit Regulations 1996.

### **Inspection of Accounts**

The accounts must be made available for inspection by the public for fifteen days prior to audit, by prior appointment with the Clerk. The accounts are to be available for inspection by Councillors at all times by prior appointment with the Clerk.

### **Insurance**

The Council shall maintain insurance cover for the risks it considers appropriate but shall, as a minimum cover, include for Public liability, Employers Liability, Money and Fidelity Guarantee.