

# AMPNEY CRUCIS PARISH COUNCIL

## STANDING ORDERS

*Note - in cases of doubt or difficulty over procedures, reference should be made to NALC Draft Model Standing Orders 2018.*

### 1. MEETINGS

#### Timing and location of meetings

- 1.1 The Statutory Annual Meeting shall be held
  - (a) in an election year on or within 14 days thereafter following the day on which the councillors elected take office not including Bank Holidays
  - (b) in a year which is not an election year on the second or third THURSDAY of MAY
- 1.2 If no other time is fixed, the annual meeting of the Council shall take place at 6pm.
- 1.3 The three other statutory meetings shall be held on ANY DAY in the months of JANUARY, JULY, and NOVEMBER on such dates and times as the Council decides.
- 1.4 Two additional meetings shall be held on ANY DAY in the months of MARCH and SEPTEMBER on such dates and times as the Council decides.
- 1.5 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 charge.
- 1.6 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 a Bank Holiday or a day appointed for public thanksgiving or mourning.

#### Access to, and reporting of meetings

- 1.7 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 all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.
- 1.8 Subject to standing order 1.9, a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To "report" means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.
- 1.9 A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.

- 1.10 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.
- 1.11 Following the election of the Chair of the Council and Vice-Chair (if there is one) of the Council at the annual meeting, the business shall include:
- a) 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.
  - b) in a year which 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.

## 2. EXTRAORDINARY MEETINGS OF THE COUNCIL

- 2.1 The Chair of the Council may convene an extraordinary meeting of the Council at any time.
- 2.2 If the Chair of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two councillors.

## 3. CHAIR OF THE COUNCIL & CHAIRING OF MEETINGS

- 3.1 The person presiding at the meeting may exercise all the powers and duties of the Chair in relation to the conduct of the Meeting.
- 3.2 Subject to standing orders which indicate otherwise, anything authorised or required 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 (if there is one).
- 3.3 The Chair of the Council, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair of the Council (if there is one) if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.
- 3.4 The Chair of the Council, unless s/he has resigned or becomes 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.
- 3.5 The Vice-Chair of the Council, if there is one, unless s/he resigns or becomes disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.
- 3.6 In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, s/he shall preside at the annual 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 shall give a casting vote in the case of an equality of votes.

- 3.7 In an election year, if the current Chair of the Council has been re-elected as a member of the Council, he shall preside at the annual meeting until a new Chairperson of the Council has been elected. S/he may exercise an original vote in respect of the election of the new Chair of the Council and shall give a casting vote of an equality of votes.

#### 4. QUORUM

Three members shall constitute a quorum.

#### 5. VOTING

- 5.1 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.
- 5.2 Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.
- 5.3 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 s/he gave an original vote.
- 5.4 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.
- 5.5 A councillor or a 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/her right to participate and vote on that matter.
- 5.6 In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, s/he shall preside at the annual 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 shall give a casting vote in the case of an equality of votes.
- 5.7 In an election year, if the current Chair of the Council has been re-elected as a member of the Council, he shall preside at the annual meeting until a new Chairperson of the Council has been elected. S/he may exercise an original vote in respect of the election of the new Chair of the Council and shall give a casting vote of an equality of votes.
- 5.6 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.

## 6. ORDER OF BUSINESS

- 6.1 At each Annual Meeting the first business shall be
- to elect a Chairman,
  - to receive the Chairman's Declaration of Acceptance of Office (or, if not then received, to decide when it shall be received),
  - to elect a Vice-Chairman,
  - to decide when any Declarations of Acceptance of Office which have not been received as provided by law shall be received, and
  - to transact any other business specified in the summons.
- 6.2 At every meeting other than the Annual Meeting, the first business shall be to appoint a Chair of the meeting if both the Council Chair and Vice-Chair be absent and to receive such declarations of acceptance of office (if any) as are required by law to be made or, if not then received, to decide when they shall be received.
- 6.3 After the first business has been completed, the order of business (unless the Council decides otherwise on the grounds of urgency) shall be as follows:
- 6.3.1 After consideration, to approve the signature by the person presiding of the Minutes of the previous meeting as a correct record.
- 6.3.2 To deal with business expressly required by statute to be done.
- 6.3.3 To transact any other business specified in the summons.
- 6.4.4 To exchange information on any other business not specified in the summons.
- 6.4 A motion to vary the order of business on the grounds of urgency shall be put to the vote without discussion.

## 7. MANAGEMENT OF INFORMATION *(See also Standing Order 14)*

- 6.1 The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.
- 6.2 The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria to determine that period (e.g. the Limitation Act 1980).
- 6.3 The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.
- 6.4 Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.

## 7. EXPENDITURE

- 7.1 Orders for the payment of money against specified items of expenditure authorised by resolution of the Council and drawn on an account set up for the purpose shall be signed by the Responsible Financial Officer.
- 7.2 All other orders for the payment of money shall be authorised by resolution of the Council and signed by two members.

## 8. CONTRACTS

- 8.1 Where it is intended entering into a contract exceeding £500 but not exceeding £1,000 or such less sum as the Council may determine for the supply of goods or materials, or for the execution of works, the Clerk shall give three weeks' notice of such intention by notice on the Council's notice boards and shall obtain not less than two and wherever possible at least three estimates.
- 8.2 Where it is intended to enter into a contract for any larger sum than £1,000, the action and procedure proposed in Section 18 ("Financial Controls & Procurement") of NALC Model Standing Orders 2018 shall be followed unless the Council decide otherwise.
- 8.3 The Clerk shall be authorised to spend up to £50 in any financial year at his/her discretion for minor purchases connected with or for extension of the terms of such contract.

## 9. ESTIMATES

The Council shall approve written estimates for the coming financial year by the JANUARY meeting at the latest.

## 10. INTERESTS *(See also Standing Orders 5.5 & 12)*

10.1 The Clerk shall maintain a register of interests for all Councillors. Should any Councillor declare an interest in a contract, proposed contract or any other matter under discussion by the Council this matter will be recorded in the minutes of that meeting.

Where a Councillor has a prejudicial interest in any business of the authority, the Councillor may attend a meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business.

Members of the public are permitted to attend the meeting for the same purpose.

## 11. TRANSPARENCY & INSPECTION OF DOCUMENTS

- 11.1 All Minutes kept by the Council and by any committee shall be open to inspection upon request by any member of the Council and any elector of the Parish.
- 11.2 If the Council's gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.

12. CODE OF CONDUCT & DISPENSATIONS (See also Standing Order 5.5)

- 12.1 All councillors and non-councillors with voting rights shall observe the Code of Conduct adopted by the Council.
- 12.2 Unless s/he 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 s/he has a disclosable pecuniary interest. S/he may return to the meeting after it has considered the matter in which s/he had the interest.
- 12.3 Unless s/he 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. S/he may return to the meeting after it has considered the matter in which he had the interest.
- 12.4 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.
- 12.5 A decision as to whether to grant a dispensation shall be made by the Proper Officer OR by a meeting of the Council, or committee or sub-committee for which the dispensation is required and that decision is final.
- 12.6 A dispensation request shall confirm:
- 12.6.1 the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
- 12.6.2 whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
- 12.6.3 the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
- 12.6.4 an explanation as to why the dispensation is sought.
- 12.7 Subject to Standing Orders 12.5 and 12.6, a dispensation request shall be considered by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required.

Code of Conduct Complaints

- 12.8 Upon notification by the District or Unitary Council that a Councillor or non-councillor with voting rights has breached the Council's Code of Conduct, the Council shall consider what, if any, action to take against him/her. Such action excludes disqualification or suspension from office.

13. PROPER OFFICER

The Proper Officer shall be either (i) the Clerk or (ii) another staff member(s) nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.

The Proper Officer shall:

- 13.1 At least three clear days before a meeting of the council:
- serve on Councillors by delivery or post at their residences or by email authenticated

in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email), and

- Provide in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).

13.2 Convene a meeting of the Council for the election of a new Chair of the Council, occasioned by a casual vacancy in his/her office.

13.3 Facilitate inspection of the Council minute book by local government electors.

13.4 Receive and retain by-laws made by other local authorities.

14. RESPONSIBILITIES TO PROVIDE INFORMATION *(See also Standing Order 15)*

14.1 In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council

14.2 If gross income or expenditure (whichever is higher) does not exceed £25,000, the Council shall publish information in accordance with the requirements of the Smaller Authorities (Transparency Requirements) (England) Regulations 2015.

15. RESPONSIBILITIES UNDER THE DATA PROTECTION LEGISLATION

15.1 The Council shall appoint a Data Protection Officer.

15.2 The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.

15.3 The Council shall have a written policy in place for responding to and managing a personal data breach.

15.4 The Council shall keep a record of all personal data breaches comprising of the facts relating to the personal data breach, its effects and the remedial action taken.

15.5 The Council shall ensure that the information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.

15.6 The Council shall maintain a written record of its processing activities.

16. ADMISSION OF THE PUBLIC TO MEETINGS *(See also Standing Order 1.7)*

The public shall be admitted to all meetings of the Council which may, however, temporarily exclude the public by resolving that, in view of the special or confidential nature of the business about to be transacted, it is advisable in the public interest that such temporary exclusion shall take place.

17. ADDITION, VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

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

18. STANDING ORDERS FOR MEMBERS OF THE COUNCIL

A copy of these Standing Orders shall be given to each member by the Clerk on delivery of the member's Declaration of Acceptance of Office.

By order of Ampney Crucis Parish Council  
May 2018

J E Webster  
Clerk to Ampney Crucis Parish Council