

ECCLESHILL PARISH COUNCIL

STANDING ORDERS/STANDING FINANCIAL ORDERS

(* indicates a statutory provision)

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1 PROPER OFFICER

The Parish Clerk shall be the proper officer of the Council in the following cases:

- 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 byelaws made by the District Council
- f) to certify copies of byelaws made by the Council
- g) to sign summonses to attend meetings of the Council

2 MEETINGS GENERALLY

- 2.1 (*)The Parish Council (hereinafter referred to as "the Council") shall in every year hold an annual meeting
- 2.2 (*)In a year which is a year of ordinary elections of Parish Councillors, the annual meeting of the Council shall be held on, or within fourteen days after, the day on which the Councillors elected at that election take office, and in any other year the annual meeting shall be held on such day in May as the Council may determine
- 2.3 (*)The annual meeting of the Council shall be held at such hour as the Council may fix or, if no hour is so fixed, at 7.00 in the evening
- 2.4 The Council shall in every year hold, in addition to the annual meeting, such other meetings, not less than three, as they may determine
- 2.5 (*)Those other meetings shall be held at such hour and on such days as the Council may determine.
- 2.6 (*)An extraordinary meeting of the Council may be called at any time by the Chair of the Council
- 2.6.a (*)If the Chair refuses to call an extraordinary meeting of the Council after a requisition for that purpose, signed by two members of the Council, has been presented to him/her, or if, without so refusing, the Chair does not call an extraordinary meeting within seven days after such a requisition has been presented to him/her, any two members of the Council, on that refusal or on the expiration of those seven days, as the case may be, may forthwith convene an extraordinary meeting of the Council.

- 2.7 (*)Meetings of the Council shall be held at such place, either within or without their area, as they may direct, but shall not be held in premises licensed for the sale of intoxicating liquor unless no other suitable room is available either free of charge or at a reasonable cost.
- 2.7.a (*)Three days clear notice before a meeting of the council (which does not include the day the notice was issued, or the day of the meeting, unless convened at short notice)
- 2.7.a.i notice of the time and place of the intended meeting shall be fixed in some conspicuous place in the Parish and, where the meeting is called by members of the Council, the notice shall be signed by those members and shall specify the business proposed to be transacted at the meeting; and
- 2.7.a.ii a summons to attend the meeting, specifying the business proposed to be transacted at the meeting and signed by the proper officer of the Council, shall be left at or sent by post to the usual place of residence of every member of the Council, or sent electronically.
- 2.7.a.iii an item of business not on the agenda for a given meeting may be considered and acted upon provided the Chair is of the opinion that the item should be considered as a matter of urgency for special circumstances which are to be specified in the minutes.
- 2.7.b (*)Want of service of any such summons as is referred to in subparagraph a.ii above on any member of the Council concerned shall not affect the validity of the meeting.
- 2.8 (*)At a meeting of the Council the Chair of the Council, if present, shall preside.
- 2.8.a (*)if the Chair of the Council is absent from a meeting of the Council, the Vice-Chair of the Council, if present, shall preside.
- 2.8.b (*)If both the Chair and Vice-Chair of the Council are absent from a meeting of the Council, such councillor as the members of the Council present shall choose shall preside.
- 2.9 (*)Three members shall constitute a quorum.
- 2.10 (*)The manner of voting at meetings of the Council shall be by a show of hands.

- 2.11 (*)On the requisition of any member of the Council the voting on any question shall be recorded so as to show whether each member present and voting gave his vote for or against that question.
- 2.12 (*)Subject to the provisions of any enactment (including any enactment in the Local Government Act 1972) all questions coming or arising before the Council shall be decided by a majority of the members of the Council present and voting thereon at a meeting of the Council.
- 2.13 Subject to (a) and (b) below, the Chair may give an original vote on any matter put to the vote.
- 2.13.a (*)Subject to (b) below, the Chair may not give an original vote in the election of the Chair on any occasion when he will himself immediately after such election retire from the Council.
- 2.13.b (*)Subject to the provisions referred to in paragraph 12 (above), in the case of an equality of votes the Chair may give a casting vote.
- 2.14 (*)The names of the members present at a meeting of the Council shall be recorded.
- 2.15 (*)Minutes of the proceedings of a meeting of the Council shall, subject to sub-paragraph (a) below, be drawn up and shall be signed at the same or next following meeting of the Council by the person presiding thereat, and any minute purporting to be so signed shall be received in evidence without further proof
- 2.16 (*)Notwithstanding anything in any enactment or rule of law to the contrary, the minutes of the proceedings of meetings of the Council may be recorded on loose leaves consecutively numbered, the minutes of the proceedings of any meeting being signed, and each leaf comprising those minutes being initialled at the same or next following meeting of the Council by the person presiding thereat, and any minute purporting to be so signed shall be received in evidence without further proof.
- 2.16.a (*)Until the contrary is proved, a meeting of the Council, a minute of whose proceedings has been made and signed in accordance with this paragraph, shall be deemed to have been duly convened and held and all the members present at the meeting shall be deemed to have been duly qualified.

- 2.17 (*)The proceedings of the Council shall not be invalidated by any vacancy among their number or by any defect in the election or qualifications of any member thereof.
- 2.18 (*)Paragraphs 2.12 to 2.16 above (except paragraph 2.15.b) shall apply in relation to a committee of the Council (including a joint committee) or a sub-committee of any such committee as they apply in relation to the Council.
- 2.18.a (*)Until the contrary is proved, where a minute of any meeting of any such committee or sub-committee has been made and signed in accordance with paragraph 2.15 above as applied by this paragraph, the committee or sub-committee shall be deemed to have been duly constituted and to have had power to deal with the matters referred to in the minute, the meeting shall be deemed to have been duly convened and held and the members present at the meeting shall be deemed to have been duly qualified.
- 2.19 Except where ordered by the Council in the case of a committee or by the Council or by the appropriate committee in the case of a sub-committee, the quorum of a committee or sub-committee shall be one-half of its members.
- 2.20 Members of committees/sub-committees shall vote by show of hands.
- 2.21 Chairs of committees / sub-committees shall have a second or casting vote

3 ORDER OF BUSINESS

- 3.1 In an election year Councillors should execute Declarations of Acceptance of Office in each other's presence, or in the presence of a proper officer previously authorised by the Council to take such Declarations, before the annual meeting commences. At each annual meeting the first business shall be:
- 3.1.a (*)to elect a Chair
- 3.1.b to receive the Chair's Declaration of Acceptance of Office or, if not then received, to decide when it shall be received.
- 3.1.c to elect a Vice-Chair if members of the Council so decide.
- 3.1.d to appoint statutory or standing committees.

3.1.e to consider the payment of any subscriptions falling to be paid annually.

3.1.f to inspect any deeds and trust instruments in the custody of the Council.

4 (*) ORDER OF BUSINESS AT MEETING OTHER THAN AN ANNUAL MEETING

At every meeting other than the annual meeting the first business shall be to appoint a Chair if the 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.

5 ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

5.1 The public and the press shall be admitted to all meetings of the Council and its committees and sub-committees, which may, however, exclude the public or the press or both (whether during the whole or part of the proceedings) whenever publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted.

5.2 A period of fifteen minutes will be given over before the start of each meeting to allow members of the public to speak on any item on the agenda.

5.3 The Chair may, at his/her discretion, suspend Standing Orders and permit a member of the public to make a statement or put a question which is relevant to a matter being discussed by the Council.

6 INTERESTS

If any member has any pecuniary interest, direct or indirect, within the meaning of sections 94-95 of the Local Government Act 1972 in any contract, proposed contract or other matter, he shall, while it is under consideration by the Council, withdraw from the meeting unless:

6.1 the disability imposed upon him by those sections has been removed by the District Council, or

6.2 the Council invite him to remain, or

- 6.3 the contract, proposed contract or other matter is under consideration as part of a report of a committee and is not itself the subject of the debate.

7 CONTRACTS

- 7.1 Where it is intended to enter into a single purpose contract exceeding £500 but not exceeding £4,000 in value for the supply of goods or materials or for the execution of works, the Clerk shall give at least three weeks' public notice of such intention in the same manner as public notice of meetings of the Council is given.
- 7.2 The notice shall state the general nature of the intended contract are to be addressed, and the last date by which those tenders should reach that person in the ordinary course of post.
- 7.3 Where the value of the intended contract exceeds £4,000 similar notice shall be given in addition to all firms included in the appropriate standing approved list of contractors maintained by the District Council, or if no such list is maintained by the District Council then in such newspapers circulating in the district as the Council shall direct. The notice shall state the general nature of the intended contract and shall in addition state the name and address of the person to whom tenders are to be addressed and the last date by which those tenders should reach that person in the ordinary course of post.
- 7.4 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 thinks fit.

8 PAY AND CONDITIONS OF SERVICE OF EXISTING EMPLOYEES

- 8.1 At its July meeting in each year or as soon thereafter as practicable, the Council shall consider whether the pay and conditions of service of its existing employees shall be reviewed.
- 8.2 If any question arises at a meeting of the Council as to the appointment, promotion, salary, dismissal, superannuation or conditions of service, or as to the conduct of a Council employee, such question shall not be discussed until the Council has considered whether or not to exclude the public and press under Section 1(2) of the public bodies (Admission to Meetings) Act 1960.

9 **VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS**

9.1 Any part of the Standing Orders except those prefaced with (*) may be suspended by resolution in relation to any specific item of business.

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

10 **RESOLUTIONS MOVED WITHOUT NOTICE**

Resolutions dealing with the following matters may be moved without notice:

- a) to correct the minutes
- b) to approve the minutes
- c) to alter the order of business
- d) to proceed to the next business
- e) to close or adjourn the debate
- f) to refer a matter to a committee
- g) to appoint a committee or any members thereof
- h) to adopt a report
- i) to amend a motion
- j) to give leave to withdrawn a motion or amendment
- k) to consider otherwise than in committee a question affecting an employee of the Council
- l) to exclude the press
- m) to exclude the public
- n) to invite a member having an interest in the subject matter under debate to remain
- o) to give consent of the Council where such consent is required by these Standing Orders

11 **RESOLUTIONS MOVED ON NOTICE**

Except as provided by the Standing Orders no resolution may be moved unless the mover has given notice in writing of its terms and has delivered the notice to the Clerk.

12 **RESCISSION OF RESOLUTIONS**

No motion to rescind a resolution passed within the preceding six months and no motion or amendment to the same effect as one which

has been rejected within the preceding six months shall be proposed unless the notice thereof given in accordance with Standing Order 11 bears the names of at least three members of the council. When such motion or amendment has been disposed of by the Council it shall not be open to a member to propose a similar motion within a further period of six months. Provided that this Standing Order shall not apply to motions in pursuance of a recommendation of a committee.

13 LIAISON WITH DISTRICT COUNCILLORS

A notice of meeting shall be sent to District Councillor or Councillors for the ward.

14 ACCOUNTS AND FINANCIAL STATEMENT

14.1 Except as provided in 14.2 or by Statute, all accounts for payment and claims upon the Council shall be laid before the Council.

14.2 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 Parish Clerk or by the Chair of the Council. Unless it has been otherwise authorised by the Council payment shall be authorised by the Committee, if any, having charge of the business to which it relates or by the Chair or Vice Chair of the Council.

14.3 All payments authorised under 14.2 or made without authority of the Council shall be separately included in the next schedule of payments laid before the Council.

14.4 The Parish Clerk shall supply to each member of the Council at an Ordinary meeting between the end of the Financial year and the next following Annual meeting a statement of receipts and payments relating to that financial year.

15 (*) EXPENDITURE

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

16 DATA PROTECTION

The provisions of the current Data Protection Regulations shall be adhered to.

Amended July 2024