

FINCHAMPSTEAD PARISH COUNCIL

STANDING ORDERS issued 15th February 2009

MEETINGS	1.1	Meetings of the Council shall be held on the third Thursday of each month (except August) at 7.30 pm in the Memorial Hall, Finchampstead, unless the Council otherwise decides at a previous meeting.
	1.2	The Statutory Annual Meeting shall be held at the normal meeting evening in May, unless the Council, by a majority, agree otherwise at a previous meeting.
	1.3	No meeting of the Council shall be deemed official unless three clear working days' notice of such a meeting has been given.
CHAIRMAN OF MEETING	2	The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.
ATTENDANCE AT MEETINGS	3	A Councillor ceases to be a member of the Council if they fail throughout a period of six consecutive months from the date of their last attendance, to attend any meeting of the Council, unless their absence was due to some reason approved by the Council.
QUORUM	4.1	Six Members of the Council shall constitute a quorum.
	4.2	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 declared pecuniary 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.
VOTING	5.1	Members shall vote by show of hands, or, if at least two members so request, by signed ballot.
	5.2	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.
	5.3	In the event of an equality of votes, the Chairman shall have a second or casting vote.
ORDER OF BUSINESS	6.1	At each Annual Meeting the first business shall be: i) to elect a chairman ii) to receive the Chairman's Declaration of Acceptance of Office or, if not then received, to decide when it shall be received. iii) to decide when any Declarations of Acceptance of Office which have not been received as provided by law shall be received iv) to elect a Vice-Chairman v) to appoint School Governors, when appropriate vi) to appoint Committees
	6.2	At every meeting other than the Annual Meeting, the first business shall be to appoint a Chairman if the Chairman and Vice-Chairman be absent and to receive such Declarations of Acceptance of Office (if any) as are required by law to be made, or if not received, then to decide when they shall be received.

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- 6.3 In every year, not later than the meeting at which the estimates for next year are approved, the Council shall review the pay and conditions of service of existing employees.
- 6.4 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:
- i) to receive apologies
 - ii) to read, consider and approve the signing of the Minutes as a correct record by the person presiding, provided that a copy has been circulated to each member no later than the day of issue of the summons to attend the meeting.
 - iii) to deal with matters arising from the Minutes
 - iv) to receive and consider reports and minutes of the committees and from the Clerk
 - v) to authorise the signing of orders for payment
 - vi) to consider resolutions or recommendations in the order in which they have been notified
 - vii) to deal with correspondence received since the last meeting
 - viii) to adjourn the meeting for 15 minutes which at the discretion of the Chairman may be extended to 30 minutes, to allow members of the public to ask questions and make statements
 - ix) to confirm the dates of the next meetings of the Council and committees
 - x) to deal with any other business not notified in the summons
- 6.5 A Resolution to vary the order of business on the grounds of urgency 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.
- RESOLUTIONS MOVED ON NOTICE
- 7.1 Except as provided by these 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 at least ten clear days before the next meeting of the Council
- 7.2 The Clerk shall date every notice of resolution when received and shall number each notice in the order in which it was received and shall enter it in a book which shall be open to the inspection of every member of the Council
- 7.3 The Clerk shall insert in the summons for every meeting all notices of resolution 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 they intend to move at some later meeting, or that they withdraw it.
- 7.4 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.

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- 7.5 If the subject matter of a resolution comes within the province of a committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to such committee, or, to such other committee as the Council may determine for report, unless the Chairman considers it to be a matter of urgency and allows it to be dealt with at the meeting at which it was moved.
- 7.6 Every resolution shall be relevant to some issue over which the Council has power or which affects its area.
- RESOLUTIONS MOVED WITHOUT NOTICE
- 8.1 Resolutions dealing with the following matters may be moved without notice
- i) to appoint a Chairman of the meeting
 - ii) to correct the Minutes
 - iii) to approve the Minutes
 - iv) to alter the order of business
 - v) to proceed to the next business
 - vi) to close or adjourn the debate
 - vii) to refer a matter to a committee
 - viii) to appoint a committee or any members thereof
 - ix) to adopt a report
 - x) to approve action recommended by committees or members delegated to other bodies
 - xi) to amend a motion
 - xii) to give leave to withdraw a motion or an amendment
 - xiii) to extend the time limit for speeches
 - xiv) to exclude the public and press from the meeting during consideration of Item XX on the Agenda, as the publicity generated would be prejudicial to the public interest because of its confidential nature.
 - xv) to silence or eject from the meeting a member named for misconduct
 - xvi) to invite a member having an interest in the subject matter under debate to remain
 - xvii) to give the consent of the Council where such consent is required by these Standing Orders
 - xviii) to suspend any Standing Order
 - xix) to adjourn the meeting
- QUESTIONS
- 9.1 A member may ask the Chairman or the Clerk any question concerning the business of the Council
- 9.2 A person to whom a question has been put may decline to answer or give a written reply at a later date
- MINUTES
- 10.1 No discussion shall take place upon the Minutes except upon their accuracy. Corrections to the Minutes shall be made by motion and must be initialled by the Chairman

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- RULES OF DEBATE
- 10.2 No matters discussed during Public Adjournment shall be recorded in the Minutes, although the subject under discussion may be recorded at the discretion of the Chairman
- 11.1 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 put in writing and handed to the Clerk before it is further discussed or put to the meeting
- 11.2 A Member when seconding a resolution or amendment, may, if they then declare their intention to do so, reserve their speech until a later period of the debate.
- 11.3 A member shall direct their speech to the question under discussion or to a personal explanation or question of order.
- 11.4 No speech by a mover of a resolution shall exceed 5 minutes and no other speech shall exceed 3 minutes, except by consent of the Council.
- 11.5 An Amendment shall be either
- i) to leave out words
 - ii) to leave out words and insert or add others
 - iii) to insert or add words
- 11.6 An amendment shall not have the effect of negating the Resolution before the Council
- 11.7 A member may, with the consent of their seconder, move amendments to their own resolution
- 11.8 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.
- 11.9 A further amendment shall not be moved until the Council has disposed of every amendment previously moved
- 11.10 The mover of a resolution or of an amendment shall have a right of reply, not exceeding 5 minutes and shall have a right to reply immediately before the amendment is put to the vote. A member exercising a right of reply shall not introduce new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.
- 11.11 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.
- 11.12 A member may ask to make a point of order or a personal explanation

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- 11.13 A resolution 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.
- 11.14 When a resolution is under debate, no other motion shall be moved except the following
- 11.15 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 motion be referred to a committee
viii) to exclude the public and press
ix) to adjourn the meeting
- 11.16 The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed
- 11.17 Members shall address the Chairman and indicate that they wish to speak by raising their hand
- 11.18 If two or more members wish to speak, the Chairman shall call upon one of them to speak and the others shall remain silent.
- 11.19 Whenever the Chairman or member speaks during a debate, all other members shall be silent
- CLOSURE 12 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 a resolution is seconded, the Chairman shall put the resolution, but, in the case of a resolution *'to put the question'*, only if they are of the opinion that the question before the Council has been sufficiently debated. If the resolution *'that the question be now put'* is carried, they shall call upon the mover to exercise or waive their 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 13.1 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 bring the Council into contempt or ridicule
- 13.2 If, in the opinion of the Chairman, a member has broken the provisions of Paragraph 13.1, 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 resolution, if seconded, shall be put forthwith and without discussion

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| | 13.3 | If either of the resolutions mentioned in Paragraph 13.2 is disobeyed, the Chairman may suspend the meeting or take such further steps as may reasonably be necessary to enforce them |
| | 13.4 | Smoking in Council and committee meetings is not permitted |
| RESCISSION OF A PREVIOUS MOTION | 14.1 | 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 |
| | 14.2 | When a special resolution has been disposed of, no similar motion may be moved within a further six months |
| | 14.3 | This Standing Order shall not apply to resolutions moved in pursuance of the report or recommendations of a committee |
| VOTING ON APPOINTMENTS | 15 | 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 | 16 | 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 public and press and employee shall be excluded (See Standing Order Number 27.1) |
| RESOLUTIONS ON EXPENDITURE | 17 | Any resolution which, if carried, would, in the opinion of the Chairman, substantially increase the expenditure upon any service which is under the management of, 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. |
| EXPENDITURE | 18.1 | All accounts for payment and claims upon the Council shall be laid before the Council |
| | 18.2 | For orders exceeding £1000, at least two quotes must be obtained where possible and practicable. |
| | 18.3 | Orders for the payment of money outside the approved budget shall be authorised by motion of the Council |
| | 18.4 | Orders for payment not exceeding five hundred pounds may be authorised by the committee responsible for the expenditure |

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COMMITTEES AND SUB
COMMITTEES

- 18.5 Where it is necessary to make a payment exceeding five hundred pounds before it has been authorised by the Council, such payment shall be certified as to its correctness and urgency by the committee, if any, having charge of the business to which it relates. Such payment shall be authorised by the Chairman or Vice Chairman of the Council and the Chairman or Vice Chairman of the Finance Committee
- 18.6 All payments ratified under sub paragraphs 18.3, 18.4 & 18.5 shall be separately included in the next schedule of payments laid before the Council
- 18.7 Financial Regulations in accordance with the Accounts and Audit Regulations 1996 will be compiled and maintained.
- 19.1 The Council may at the Annual Meeting appoint standing committees and may at any other time appoint such other committees as are necessary, but subject to any statutory provisions in that behalf
- i) shall not appoint any member of a committee so as to hold office later than the next Annual Meeting and
 - ii) may subject to the provisions of Standing Order 14.1 above
- 19.2 The Chairman of the Council shall be a member of every committee if so wished
- 19.3 Committees shall each have a maximum of eight members not including the Chairman of the Council
- 19.4 Where more than eight members wish to stand for a committee, the nominations shall be decided by lot at the Annual Meeting
- 19.5 Every committee shall meet within three weeks of the Annual Meeting to elect a Chairman and Vice Chairman who shall hold office until the next full Council meeting
- 19.6 The Council delegates power to the Planning Committee to make comments on planning applications on its behalf direct to the Borough Council. Recommendations from all other committees must be submitted to the Main Council for ratification.
- 19.7 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 no fewer than three 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
- 19.8 Every committee may appoint sub committees for purposes to be specified by the committee; sub committees will report direct to their main committee by recommendation unless given delegated power by the Council
- 19.9 The Chairman of the committee shall be a member of every sub committee if so wished

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- 19.10 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 shall be three members, and of a sub committee shall be two members
- 19.11 The Standing Orders on rules of debate (except those parts relating 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
- 19.12 The Clerk and any Assistant Clerk may attend meetings of committees other than those for which they are responsible in order to advise councillors
- VOTING ON COMMITTEES
- 20.1 Members of committees and sub committees shall vote by a show hands, or, if at least two members so request, by signed ballot
- 20.2 Chairmen of committees and sub committees shall in the case of an equality of votes have a second or casting vote.
- PRESENCE OF NON MEMBERS OF COMMITTEES AT COMMITTEE MEETINGS
- 21.1 A member who has proposed a resolution which has been referred to any committee of which they are not member may explain their resolution to the committee but shall not vote.
- 21.2 Any Council member shall be entitled to be present at a meeting of any committee or sub committee even if not a member and may speak with permission of the Chairman but shall not be entitled to vote.
- ESTIMATES
- 22.1 The Clerk shall supply annually to each member, a copy of the accounts for the Annual Audit.
- 22.2 Any committee desiring to incur expenditure to be defrayed out of the rates shall, not later than 1st January, give to the Clerk a written estimate of the expenditure recommended for the coming year and such estimate shall be submitted to the Finance Committee at its precept meeting. The Council shall approve estimates for the forthcoming financial year at its meeting in the month of February
- INTERESTS
- 23.1 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, they shall, while it is under consideration by the Council, withdraw from the meeting unless
- i) the disability imposed upon them by those sections has been removed by the Borough Council, or,
 - ii) the Council invite them to remain, or,
 - iii) the contract, proposed contract or other matter is under consideration as part of the report of a committee and is not itself the subject of debate.
- 23.2 Every member shall observe Finchampstead Parish Council's Code of Conduct whenever they:
- i) conduct the business of the Council, or

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- ii) conduct the business of the office to which they are appointed or elected, or
 - iii) act as representative of the Council
- 23.3
- i) Every member shall observe Finchampstead Parish Council's Email Policy which sets out expectations for the use of email in the conduct of Parish Council business:
 - ii) Nothing in the Email Policy shall contradict Standing Orders
 - iii) Emails are considered documents for the purposes of Standing Order number 26.
- CANVASSING OF AND RECOMMENDATION BY MEMBERS
- 24.1
- Canvassing of members 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 purport of this sub-paragraph of this Standing Order to every candidate
- 24.2
- A member of the Council shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but nevertheless a member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- INSPECTION OF DOCUMENTS
- 25.1
- A member may for the purpose of their 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.
- 25.2
- All Minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council
- UNAUTHORISED ACTIVITIES
- 26
- No member of the Council shall in the name of, or on behalf of, the Council, issue orders or write letters unless authorised to do so by the Council. If a councillor considers a matter to be of an urgent nature this should be referred to the Chairman or Vice Chairman of the Council in the first instance.
- ADMISSION OF THE PUBLIC AND PRESS
- 27.1
- The public shall be admitted to all meetings of the Council and its committees, except where the members agree that the public be excluded from the meeting during consideration of item XX as the publicity generated would be prejudicial to the public interest because of its confidential nature
- 27.2
- The Clerk shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present.
- 27.3
- 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.

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CONFIDENTIAL BUSINESS	28.1	No member of the Council or of 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
	28.2	Any member in breach of the provisions of paragraph 28.1 of this Standing Order shall be removed from any committee or sub committee of the Council, by the Council
	28.3	By majority vote the Council can agree to exclude any item or items from the minutes and such information will be recorded in Part 2 Minutes which are not available to the public.
LIAISON WITH DISTRICT COUNCILLORS	29.1	A notice of Council meetings shall be sent together with an invitation to attend to the Borough Councillors of the parish.
	29.2	Unless the Council otherwise orders, a copy of each letter ordered to be sent to the Borough Council shall be copied to the relevant District Councillor
	29.3	When Borough Councillors or Officers are present at any Parish Council or Committee meeting, their advice can given or sought at any time through the Chair.
CODE OF CONDUCT ON COMPLAINTS	30	The Council shall deal with complaints of maladministration allegedly committed by the Council or any officer or member in the manner recommended by Circular 2/86 issued by the National Association of Local Councils
VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS	31.1	Any or every part of the Standing Orders may be suspended by resolution in relation to any specific item of business
	31.2	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
STANDING ORDERS TO BE GIVEN TO MEMBERS	32	A Copy of these Standing Orders shall be given to each member by the Clerk upon delivery to them of the member's Declaration of Acceptance of Office