



**GREAT
SANKEY**
PARISH
COUNCIL

Standing Orders

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1. Meetings

- 1.1 Meetings of the Council shall be held at 7pm on the second Wednesday of every month, including August should one be required, at the Tim Parry Annexe unless the Council decides otherwise at a previous meeting. Meetings shall close no later than 9.30pm unless it is proposed and resolved by a simple majority of those present and voting at the meeting to suspend this Standing Order.
- 1.2 The Statutory Annual Meeting shall be held
 - In an election year on or within 14 days following the day on which the councillors elected take office and
 - In a year which is not an election year shall be held on the second Wednesday in May.
- 1.3 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 rate.
- 1.4 The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.
- 1.5 Additional meetings shall be held as required.
- 1.6 The Chair of the Council may convene an extraordinary meeting of the Council at any time.
- 1.7 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.

2. Chairing of Meetings

- 2.1 The person presiding at a meeting may exercise all the powers and duties of the Chair in relation to the conduct of the meeting.
- 2.2 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 absence be done by, to or before the Vice-Chair.
- 2.3 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 present, shall preside. If both the Chair and Vice-Chair are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.
- 2.4 The Chair of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council

- 2.5 The Vice-Chair of the Council, if there is one, unless 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
- 2.6 In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, 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.
- 2.7 In an election year, if the current Chair has been re-elected as a member of the Council, he shall preside at the annual meeting until a new Chair of the Council has been elected. He may exercise an original vote in respect of the election of the new Chair of the Council and shall give a casting vote in the case of an equality of votes.

3. Proper Officer

- 3.1 Where a statute, regulation or order confers function or duties on the proper officer of the Council in the following cases, he shall be the clerk or nominated officer:
- To receive declarations of acceptance of office.
 - To receive and record notices disclosing personal and prejudicial interests – declarations of interest.
 - To receive and retain plans and documents.
 - To sign notices or other documents on behalf of the Council.
 - To receive copies of bylaws made by a District Council.
 - To certify copies of bylaws made by the Council.
 - At least three clear days before a meeting of the council, a committee or a sub-committee serve on councillors by delivery or post at their residences or by email authenticated in such a 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
 - To 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).
 - To keep proper records for all Council meetings.
 - To convene a meeting of the Council for the election of a new Chair of the Council, occasioned by a casual vacancy in his office.
 - To facilitate inspection of the minute book by local government electors
- 3.2 In any other case the proper officer shall be the person nominated by the Council and, in default of nomination, the Clerk.
- 3.3 In addition to the duties described above, the Clerk is delegated the authority to apply rates for hall rental according to the categories and charges fixed, and periodically reviewed, by the Council. If the charges cannot be determined by the categories fixed the Clerk must refer such cases to the Finance Committee.

4. Quorum of the Council

- 4.1 Five members shall constitute a quorum.
- 4.2 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 prejudicial interest) falls below the required quorum, the meeting shall be adjourned, and business not transacted shall be transacted at the next meeting or on such other day as the Chair may fix.
- 4.3 For a quorum relating to a committee or sub-committee, refer to standing order 19.10.

5. Voting

- 5.1 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.
- 5.2 Members shall vote by show of hands or, if at least two members so request, by signed ballot.
- 5.3 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 may be made before or after the vote but in any event before moving on to the next business.
- 5.4 Subject to (5.5) and (5.6) below the Chair may give an original vote on any matter put to the vote, and in any case of an equality of votes may give a casting vote whether or not he gave an original vote.
- 5.5 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 Chair and Vice-Chair until the end of their term of office he may not give an original vote in an election for Chair.
- 5.6 The person presiding must give a casting vote whenever there is an equality of votes in an election for Chair.
- 5.7 A councillor or 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 right to participate and vote on that matter (see also standing order 25).

6. Order of Business

(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)

- 6.1 At each Annual Meeting the first business shall be:-

- To elect a Chair of the Council
- To receive the Chair's declaration of acceptance of office or, if not then received, to decide when it shall be received.
- In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.
- To decide when any declarations of acceptance of office and written undertakings to comply with the Code of Conduct adopted by the Council which have not been received as provided by law shall be received.
- To elect a Vice-Chair of the Council.
- To elect Chairs of Finance, Employment, Community Projects Committee.
- To appoint committees and sub-committees (see standing order 19.1) and shall thereafter follow the order set out in the standing order 6.4

6.2 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.

6.3 In every year, not later than the meeting at which the estimates for next year are settled, the Council shall review the pay and conditions of service of existing employees. Standing Order 16.1 must be read in conjunction with their requirement.

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: -

- To read and consider the Minutes; 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.
- After consideration to approve the signature of the Minutes by the person presiding as a correct record.
- To deal with business expressly required by statute to be done.
- To dispose of business, if any, remaining from the last meeting.
- To receive such communications as the person presiding may wish to lay before the Council.
- To answer questions.
- To receive and consider reports and minutes of committees.
- To receive and consider reports from officers of the Council.
- To authorise the sealing of documents.
- If necessary, to authorise the signing of orders for payment.
- To receive and consider resolutions or recommendations in the order in which they have been notified.
- Any other business specified in the summons.

6.5 A motion to vary the order of business on the ground of urgency:

- May be proposed by the Chair or by any member and, if proposed by the Chair, may be put to the vote without being seconded, and
- Shall be put to the vote without discussion.

7. Resolutions Moved on Notice

- 7.1 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 8 clear days before the next meeting of the Council.
- 7.2. 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 intends to move at some later meeting or that he withdraws it.
- 7.3. 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.
- 7.4. 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; provided that the Chair, if he considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.
- 7.5. Every resolution or recommendation shall be relevant to some subject over which the Council has power or duties which affects its area.

8. Resolutions Moved Without Notice

- 8.1 Resolutions dealing with the following matters may be moved without notice:-
 - To appoint a Chair of the meeting.
 - To correct the Minutes.
 - To approve the Minutes.
 - To alter the order of business.
 - To proceed to the next business.
 - To close or adjourn the debate.
 - To refer a matter to a committee.
 - To appoint a committee or any members thereof.
 - To adopt a report.
 - To authorise the sealing of documents.
 - To amend a motion.
 - To give leave to withdraw a resolution or amendment.
 - To extend the time limit for speeches.
 - To exclude the public. (see standing order 28)
 - To silence or eject from the meeting a member named for misconduct. (see standing order 11)
 - To give the consent of the Council where such consent is required by these Standing Orders.
 - To suspend any Standing Order.
 - To adjourn the meeting.

9. Questions

- 9.1 A member may ask the Chair or the Clerk any questions concerning the business of the Council provided notice of the question has been given to the person to whom it is addressed three clear days before the meeting.
- 9.2. No question not connected with business under discussion shall be asked except during the part of the meeting set aside for questions.
- 9.3 Every question shall be put and answered without discussion.
- 9.4 A person to whom a question has been put may decline to answer.

10. Rules of Debate

- 10.1 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 Chair.

An amendment to the minutes shall be either: -

- To leave out words.
 - To leave out words and insert or add others.
 - To insert or add words.
 - An amendment shall not have the effect of negating the motion before the Council.
- 10.2 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.
 - 10.3 A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
 - 10.3 The mover of a resolution or of an amendment shall have a right of reply, not exceeding five minutes.
 - 10.4 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 an amendment, or on a point of order, or in personal explanation, or to move a closure.
 - 10.5 A member may attract the attention of the Chair to make a point of order or a personal explanation. In such cases the member shall be heard forthwith. A personal explanation shall be confined to some material part of a former speech by him that may have been misunderstood.
 - 10.6 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.
 - 10.7 When a resolution is under debate no other resolution shall be moved except the following:
 - To amend the resolution.

- To proceed to the next business.
- To adjourn the debate.
- That the question be now put.
- That a member named be not further heard.
- That a member named does leave the meeting.
- That the resolution be referred to a committee.
- To exclude the public and press.
- To adjourn the meeting.

10.8 The ruling of the Chair on a point of order or on the admissibility of a personal explanation shall not be discussed.

10.9 Members shall address the Chair.

10.10 Whenever the Chair rises during a debate all other members shall be silent.

11. Disorderly Conduct

11.1 All members must behave in a manner required by the revised Code of Conduct which was adopted by the Council on 11 July 2012 a copy of which is annexed to these Standing Orders.

11.2 No member shall at a meeting persistently disregard the ruling of the Chair, wilfully obstruct business, or behave irregularly, offensively, improperly or in such a manner as to scandalise the Council or bring it into contempt or ridicule.

11.3 If, in the opinion of the Chair, a member has broken the provisions of standing orders 11.1 or 11.2, the Chair 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 to leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion.

11.4 If either of the motions mentioned in standing order 11.3 are disobeyed, that the Chair may suspend the meeting or take such further steps as may reasonably be necessary to enforce them.

12. Right of Reply

12.1 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 new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

13. Alteration of Resolution

13.1 A member may, with the consent of his seconder, move amendments to his own resolution.

14. Rescission of Previous Resolution

- 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 eight members of the Council, or by a resolution moved in pursuance of the report or recommendation of a committee.
- 14.2 When a special resolution has been disposed of no similar resolution may be moved within a further six months.

15. Voting on Appointments

- 15.1 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.

16. Discussions and Resolutions Affecting Employees of the Council

- 16.1 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 shall be excluded (see standing order 28.1).

17. Resolutions on Expenditure

- 17.1 Any resolution (which is moved otherwise than in pursuance of a recommendation of the Finance Committee, or of another committee, after recommendation by the Finance Committee) and which, if carried, would in the opinion of the Chair, 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 Committee shall report on the financial aspect of the matter).

18. Expenditure

- 18.1 Orders for the payment of money shall be authorised by resolution of the Council and signed by two members.
- 18.2 The Finance Committee is delegated power to authorise payments for salaries; Inland Revenue; utilities; office and cleaning supplies; insurance; subscriptions; repair and maintenance of property owned by the Council including existing contents, fixtures and fittings; and any other regular and routine payments that are required to enable the Council to continue to carry out its business. Such payments must be authorised by resolution of the Finance Committee and signed by two members. Payments so authorised must be reported to the next available meeting of the full Council, and opportunity given to question them.

- 18.3 The Finance Committee is delegated power to authorise donations (either under LGA 1972 section 137 or other appropriate power) to an amount not exceeding £100 subject to the following:
- the requirements of the power used being fulfilled.
 - the limits for donations under LGA 1972 Section 137 not being exceeded.
 - no group or organisation being given more than one payment under this delegated authority in any period of 12 months. Payments so authorised must be reported to the next available meeting of the full Council.
- 18.4 Donations exceeding £100 or proposed more than once in a 12-month period for any group shall be authorised by resolution of the full Council.
- 18.5 Any requests for donations in excess of £500 will not be considered unless the requesting group has presented their accounts for at least their last year of operation to the Finance Committee, and the Finance Committee is sufficiently satisfied as to recommend making a donation.
- 18.6 In the case of requests for less than £500, the Finance Committee shall reserve the right to ask the requesting group for sight of its audited accounts for at least the last year of its operation in cases when the majority of the Finance Committee thinks it would be prudent to see the accounts before considering the request.
- 18.7 Requests for financial assistance which fall outside of the Council's usual areas of responsibility must be made using the relevant form ('Requests for Financial Assistance') and must satisfy the requirements laid down in that document. Requests will be considered by the Finance Committee in the first instance prior to recommendation and approval by full Council.
- 18.8 The Chair's Discretionary Allowance may be used for any item of miscellaneous expenditure providing it falls within the overall powers of the Parish Council. Such expenditure shall be scrutinised by the Finance Committee for correctness; the Chair shall be entitled to an over-riding vote for expenditure up to £250 on any single item.

19. Committees and Sub-Committees

- 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 provision in that behalf: -
- Shall not appoint any member of a committee so as to hold office later than the next Annual Meeting and
 - may, subject to the provisions of standing order 14, at any time dissolve or alter the membership of a committee.
- 19.1 The Chair and/or Vice-Chair shall be members of every committee.
- 19.3 The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.
- 19.4 Every committee shall at its first meeting before proceeding to any other business, elect a Chair and may elect a Vice-Chair who shall hold office until the next Annual Meeting of the Council and shall settle its programme of meetings for the year.

- 19.5 The Chair of a committee or the Chair 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 special meeting and no other business shall be transacted at that meeting.
- 19.6 The minimum three clear days for notice of a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice.
- 19.7 Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.
- 19.8 The Chair and Vice-Chair of the committee shall be members of every sub-committee appointed by it unless they signify that they do not wish to serve.
- 19.9 Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.
- 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 or sub-committee shall be one half of its members. In the case of committees of 5 members the quorum shall be 3.
- 19.11 The Standing Orders on rules of debate (except those parts relating to standing and to speaking more than once) and the Standing Orders on interests of members in contracts and other matters shall apply to committee and sub-committee meetings.

20. Substitutions

- 20.1 A member of the Employment or Finance Committee, when summoned to a meeting that they cannot attend, should try to arrange for one of the other Cllrs to attend in their absence, to prevent committees failing to have a quorum.
- 20.2 The name of the substitute member should be provided to the Clerk in advance of the meeting.
- 20.3 Members of the Committee must co-opt the substitute onto the committee for the meeting in question, before any further business is carried out.

21. Voting in Committees

- 21.1 Members of committees and sub-committees shall vote by show of hands, or if at least two members so request, by signed ballot.
- 21.2 Chairs of committees and sub-committees shall in the case of an equality of votes have a second or casting vote.

22. Presence of Non-Members at Committee Meetings

- 22.1 A member who has proposed a resolution, which has been referred to any committee, of which he is not a member, may explain his resolution to the committee but shall not vote.

23. Accounts and Financial Statement

- 23.1 Except as provided in standing order 23.2 or by statute, all accounts for payments and claims upon the Council shall be laid before the Council.
- 23.2 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 appropriate officers. Such payment will 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.
- 23.3 All payments ratified under Standing Order 23.2 shall be separately included in the next schedule of payments laid before the Council.
- 23.4 The Clerk shall supply to each member a statement of receipts and payments following the Annual audit of Accounts.

24. Estimates

- 24.1 The Council shall approve written estimates for the coming financial year at its meeting in the month of January.
- 24.2 Any committee desiring to incur expenditure shall, not later than 1st December, give to the Clerk a written estimate of expenditure recommended for the coming year.

25. Code of Conduct and Dispensations

- 25.1 All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
- 25.2 If a member has a personal interest as defined by the Code of Conduct adopted by the Council on 11th July 2012, then he shall declare such interest as soon as it becomes apparent, disclosing the nature and extent of that interest as required.
- 25.3 If a member who has declared a personal interest, then considers the interest to be prejudicial, he must withdraw from the meeting during consideration of the item to which the interest relates, unless he had been granted a dispensation.
- 25.4 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.
- 25.5 A dispensation request shall confirm;
- the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates

- whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote
 - the date of the meeting or the period (not exceeding four years) for which the dispensation is sought and,
 - an explanation as to why the dispensation is sought.
- 25.6 A decision as to whether to grant a dispensation shall be made by a meeting of the Council, or committee or sub-committee for which the dispensation is required, and that decision is final
- 25.7 A dispensation may be granted in accordance with standing order 25.6 if having regard to all relevant circumstances any of the following apply:
- without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business.
 - granting the dispensation is in the interests of persons living in the Council's area; or
 - it is otherwise appropriate to grant a dispensation.
- 25.8 The Clerk shall hold a copy of the Register of Member's Interests in accordance with instructions received from the Monitoring Office of the Responsible Authority and/or as required by statute.
- 25.9 If a candidate for any appointment under the Council is to his knowledge related to any member of or the holder of any office under the Council, he and the person to whom he 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.
- 25.10 The Clerk shall make known the purport of this Standing Order to every candidate.
- 25.11 Canvassing of and Recommendations by Members
- 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 purport of this sub-paragraph of this Standing Order to every candidate.
 - 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.
- 25.12 Standing order nos. 25.9 and 25.11 shall apply to tenders as if the person making the tender were a candidate for an appointment.

26. Inspection of Documents

- 26.1 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.

- 26.2 All minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council.

27. Unauthorised Activities

- 27.1 No member of the Council or of any committee or sub-committee shall in the name of or on behalf of the Council: -
- Inspect any lands or premises which the Council has a right or duty to inspect; or
 - Issue orders, instructions or directions unless authorised to do so by the Council or the relevant committee or sub-committee.

28. Admission of the Public and Press to Meetings

- 28.1 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 by means of the following resolution: "That members of the public including the press be excluded from the meeting due to the confidential nature of the following item(s) of business".
- 28.2 The Council shall state the special reason for exclusion.
- 28.3 At all meetings of the Council the Chair may at their 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 Council.
- 28.4 The Clerk shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present.
- 28.5 Subject to standing order 28.6, 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 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.
- 28.6 A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.
- 28.7 If a member of the public interrupts the proceedings at any meeting, the Chair may, after warning, order that he be removed from the Meeting Room.

29. Confidential Business

- 29.1 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 as the case may be.
- 29.2 Any member in breach of the provisions of 29.1 of this standing order shall be removed from any committee or sub-committee of the Council by the Council.

30. Code of Conduct Complaints

- 30.1 Upon notification by the District or Unitary Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to standing order 33, report this to the Council.
- 30.2 Where the notification in standing order 30.1 relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chair of Council of this fact, and the Chair shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with standing order 30.4.
- 30.3 The Council may:
- provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
 - seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- 30.4 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. Such action excludes disqualification or suspension from office.

31. Contracts

- 31.1 Every contract whether made by the Council or by a committee to which the power of making contracts has been delegated shall comply with these Standing Orders, and no exception from any of the following provisions of these Standing Orders shall be made otherwise than by direction of the Council or in an emergency by such a committee as aforesaid provided that these Standing Orders shall not apply to contracts which relate to items 31.2 to 31.6 below:
- 31.2 For the supply of gas, electricity, water, sewerage and telephone services.
- 31.3 For specialist services such as are provided by solicitors, accountants, surveyors and planning consultants.
- 31.4 For work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant.
- 31.5 For work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Council.
- 31.6 For goods or materials proposed to be purchased which are proprietary articles and/or which are sold only at a fixed price.
- 31.7 A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in standing order 31.15 is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity unless it proposes to use an existing list of approved suppliers (framework agreement).

- 31.8 For expenditures of £10,000 or less in value the Chair or Vice Chair, Chair of Finance, Chair of Employment with the Clerk shall have executive power to authorise expenditure in cases of urgent need.
- 31.9 When applications are made to waive Standing Orders relating to contracts to enable a tender to be negotiated without competition the reason shall be embodied in a recommendation to the Council.
- 31.10 Every exception made by the Finance Committee to which the power of making contracts has been delegated shall be reported to the Council and the report shall specify the emergency by which the exception shall have been justified.
- 31.11 An invitation to tender shall state the general nature of the intended contract and the Clerk/RFO shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Clerk/RFO and the last date by which such tenders should reach the Clerk/RFO in the ordinary course of post. Each tendering firm shall be supplied with a specially marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.
- 31.12 All sealed tenders shall be opened at the same time on the prescribed date by the Clerk/RFO in the presence of at least one Member of the Council.
- 31.13 If less than three tenders are received for contracts valued above £25,000 or if all the tenders are identical the Council may make such arrangements as it thinks fit for procuring the goods or materials or executing the works.
- 31.14 The Council shall not be obliged to accept the lowest or any tender.
- 31.15 A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £189,330 for a public service or supply contract or in excess of £4,733,252 for a public works contract; or £663,540 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.
- 31.16 A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £378,660 for a supply, services or design contract; or in excess of £4,733,252 for a works contract; or £663,540 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.

32. Contact with the Press

- 32.1 The Council shall have an official Spokesperson who will deal with all questions and requests for comments from the Press which are addressed to the Parish Council.

- 32.2 The Spokesperson shall only convey to the Press factual information, decisions made in Council and established Council policies. The Spokesperson shall not divulge to the Press any information declared to be confidential by the Council, a committee or a sub-committee.
- 32.3 If the Spokesperson is asked for an answer or a comment on an issue on which the Parish Council does not have an existing minuted policy or decision, they shall give a holding reply only, and refer the issue to the Council at the next available opportunity.
- 32.4 The Spokesperson shall bring to the attention of the Council any and all comments and answers made on their behalf at the next available Council meeting.
- 32.5 The position of Spokesperson shall normally be held by the Clerk, although this may be varied by a resolution made in Council.
- 32.6 No individual Council member shall make any comment or answer to the Press other than as a private individual, and they must make it clear that they are expressing a private opinion rather than speaking on behalf of full Council.

33. Management of Information

See also standing order 34.

- 33.1 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.
- 33.2 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 used to determine that period (e.g. the Limitation Act 1980).
- 33.3 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.
- 33.4 Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.

34. Responsibilities to Provide Information

See also standing order 35.

- 34.1 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.
- 34.2 The Council, shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.

35. Responsibilities Under Data Protection Legislation

(Below is not an exclusive list).

See also standing order 33.

- 35.1 The Council may appoint a Data Protection Officer.
- 35.2 The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.
- 35.3 The Council shall have a written policy in place for responding to and managing a personal data breach.
- 35.4 The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.
- 35.5 The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.
- 35.6 The Council shall maintain a written record of its processing activities.

36. Execution and Sealing of Legal Deeds

- 36.1 A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- 36.2 Subject to standing order 36.1, any two councillors may sign on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.

37. Charges for Providing Photocopies of Documents

- 37.1 If a member of the public requests photocopies of Parish Council documents, and it is agreed that they can be made, the Council shall have the right to make a charge per sheet for the photocopying which is in line with the charge levied by public libraries for photocopying services.

This does not affect statutory rights to inspect documents, nor exemptions from inspection.

38. Variation, Revocation and Suspension of Standing Orders

- 38.1 A resolution permanently to add, vary or revoke a Standing Order shall when proposed and seconded, stand adjourned with discussion to the next ordinary meeting of the Council.

39. Standing Orders to be given to Members

- 39.1 A copy of these Standing Orders shall be given to each member by the Clerk upon delivery to him of the member's declaration of interest and acceptance of office.

ANNEXE 1

CODE OF CONDUCT FOR MEMBERS

The Code has been adopted under section 27 of the Localism Act 2011 and is based on the following core principles of public life – selflessness, integrity, objectivity, accountability, openness, honesty and leadership. It sets out general obligations about the standards of conduct expected of members and co-opted members of the authority, together with provisions about registering and declaring interests.

A General obligations

Whenever you are acting as a member or co-opted member of this authority you must act in accordance with the following obligations:

Selflessness

- 1 You must act solely in the public interest and must never use or attempt to use your position improperly to confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, friends or close associates.

Integrity

- 2 You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.

You should exercise independent judgement. Although you may take account of the views of others (including a political group) you should reach your own conclusions on the issues before you and act in accordance with those conclusions.

Objectivity

- 3 When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit.

You should remain objective, listen to the interests of all parties appropriately and impartially and take all relevant information, including advice from the authority's officers, into consideration.

Accountability

- 4 You are accountable to the public for your decisions and you must co-operate fully with whatever scrutiny is appropriate, including by local residents.

Openness

- 5 (a) You must be as open and transparent as possible about your decisions and actions and the decisions and actions of your authority. You should be prepared to give reasons for those decisions and actions. You must not prevent anyone getting information that they are entitled to by law.

(b) Where the law or the wider public interest requires it, you must not disclose confidential information or information to which public access is restricted.

Honesty

- 6 (a) You must declare any private interests, both pecuniary and non-pecuniary, that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests as set out in Section B below.

(b) You must only use or authorise the use of the authority's resources in accordance with the authority's requirements. You must, when using or authorising the use by others of such resources, ensure that they are used for proper purposes only. Resources must not be used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

Respect for others

- 7 (a) You must treat others with respect. You should engage with colleagues and staff in a manner that underpins mutual respect, essential to good local government.

(b) You must not do anything which may cause your authority to breach any equality laws.

(c) You must not compromise or attempt to compromise the impartiality of anyone who works for, or on behalf of, the authority

(d) You must not bully any person, including other councillors, officers of the authority or members of the public.

Leadership

- 8 You must promote and support high standards of conduct when serving as member or co-opted member of the authority, by leadership and example, championing the interests of the community.

You should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in you.

B. Registering and declaring pecuniary and non-pecuniary interests

- 1 Registration and declaration of interests shall be made in accordance with the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.

Excerpt from CLG text:

You must, within 28 days of taking office as a member or co-opted member, notify your authority's monitoring officer of any disclosable pecuniary interest as defined by regulations made by the Secretary of State, where the pecuniary interest is yours, your spouse's or civil partner's, or is the pecuniary interest of somebody with whom you are living with as a husband or wife, or as if you were civil partners.

In addition, you must, within 28 days of taking office as a member or co-opted member, notify your authority's monitoring officer of any disclosable pecuniary or non-pecuniary interest which your authority has decided should be included in the register.

If an interest has not been entered onto the authority's register, then you must disclose the interest to any meeting of the authority at which you are present, where you have a disclosable interest in any matter being considered and where the matter is not a 'sensitive interest'. *

Following any disclosure of an interest not on the authority's register or the subject of pending notification, you must notify the monitoring officer of the interest within 28 days beginning with the date of disclosure.

Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a pecuniary interest as defined by regulations made by the Secretary of State. Additionally, you must observe the restrictions your authority places on your involvement in matters where you have a pecuniary or non-pecuniary interest as defined by your authority.

*A 'sensitive interest' is described in the Localism Act 2011 as a member or co-opted member of an authority having an interest, and the nature of the interest being such that the member or co-opted member, and the authority's monitoring officer, consider that disclosure of the details of the interest could lead to the member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation.

Adopted by the Parish Council July 2012, **PC/2012/55**