

Wrenbury-cum-Frith Parish Council

Standing Orders

1 Meetings

- a **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 cost.**
- b **When calculating the 3 clear days for notice of a meeting to councillors and the public, 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 shall not count.**
- c **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.**
- d Subject to standing order 1(c) above, members of the public are permitted to make representations in accordance with the council's Public Participation Policy.
- e **Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's prior written consent.**
- f In accordance with standing order 1(c) above, the press shall be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.
- g **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman may in his absence be done by, to or before the Vice-Chairman.**
- h **The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.**
- i Subject to standing order 1 (p) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.
- j **The Chairman may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote.**
- k **Unless standing orders provide otherwise, voting on any 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 vote for or against that question. At the request of a Councillor, their individual vote may be recorded.**
- l **The minutes of a meeting shall record the names of councillors present.**
- m If prior to a meeting, a Councillor has submitted reasons for his absence at the meeting which is then approved by a resolution, such resolution shall be recorded in the minutes of the meeting at which the approval was given.
- n **The code of conduct adopted by the Council shall apply to councillors in respect of the entire meeting.**
- o **An interest arising from the code of conduct adopted by the Council, the existence and nature of which is required to be disclosed by a Councillor at a meeting shall be recorded in the minutes. (See also standing order 4 below.)**
- p **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 3.**
- q **If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be adjourned. Any outstanding business of a meeting so adjourned shall be transacted at a following meeting.**

2 Ordinary Council meetings

See also standing order 1 above

- a In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the new councillors elected take office.
- b In a year which is not an election year, the annual meeting of a Council shall be held on such day in May as the Council may direct.
- c If no other time is fixed, the annual meeting of the Council shall take place at 6pm.
- d In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council directs.
- e The election of the Chairman and Vice-Chairman of the Council shall be the first business completed at the annual meeting of the Council.
- f The Chairman 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.
- g The Vice-Chairman of the Council, if any, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.
- h In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he shall preside at the meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but must give a casting vote in the case of an equality of votes.
- i In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he shall preside at the meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and must give a casting vote in the case of an equality of votes.

3 Proper Officer

- a The Council's Proper Officer shall be the Clerk or such other employee as may be nominated by the Council from time to time or such other employee appointed by the Council to undertake the role of the Proper Officer during the Proper Officer's absence. The Proper Officer and the employee appointed to act as such during the Proper Officer's absence shall fulfil the duties assigned to the Proper Officer in standing orders.
- b The Council's Proper Officer shall do the following.
 - i. Electronically serve on councillors a summons confirming the time, date, venue and the agenda of a meeting of the Council or Committee or Sub-committee at least 3 clear days before the meeting provided any such email contains the electronic signature and title of the Proper Officer. For those councillors that have not provided a means of electronic delivery, then the summons and agenda shall be posted.
 - ii. **Give public notice of the time, date, venue and agenda at least 3 clear days before a meeting of the Council or a meeting of a committee or a sub-committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**
 - iii. **Convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office, in accordance with standing order 3(b)i above.**
 - iv. Make available for inspection the minutes of meetings.
 - v. **Receive and retain copies of byelaws made by other local authorities.**
 - vi. **Receive and retain declarations of acceptance of office from councillors.**
 - vii. Retain a copy of every councillor's register of interests and any changes to it and keep copies of the same available for inspection.
 - viii. Keep proper records required before and after meetings;
 - ix. Process all requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council's procedures relating to the same.
 - x. Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
 - xi. Manage the organisation, storage of and access to information held by the Council in paper and electronic form.
 - xii. Arrange for legal deeds to be signed by 2 councillors and witnessed
 - xiii. Arrange for the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial

- regulations.
- xiv. Retain custody of the seal of the Council (if any) which shall not be used without a resolution to that effect.
- xv. Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.
- xvi. Respond to planning applications following consideration by the Council, or between meetings, following consultation with the appropriate Councillors.

4 Code of Conduct

- a **All councillors shall observe the code of conduct adopted by the Council.**
- b **Councillors with a disclosable pecuniary interest must leave the room during the relevant item of business, unless permitted to remain following the grant of a dispensation.**
- c **Councillors with an interest in relation to any item of business being transacted at a meeting may (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted but must, thereafter, leave the room or chamber, unless permitted to remain following the grant of a dispensation**
- d **Following a written request to the Proper Officer of the Council, the Council may grant a member a dispensation to participate in a discussion and / or vote on a matter at the meeting even if s/he has any form of interest (disclosable pecuniary, other) if the Council believes that the number of members otherwise prohibited from taking part in the meeting would impede the transaction of the business; or it is in the interests of the inhabitants in the Council's area to allow the member to take part; or it is otherwise appropriate to grant a dispensation. The grant of a dispensation will be considered at a Council meeting and any dispensation may permit the councillor to speak, or to speak and vote.**

5 Minutes

- a If a copy of the draft minutes of a preceding meeting has been circulated to councillors no later than the day of service of the summons to attend the scheduled meeting they shall be taken as read.
- b No discussion of the draft minutes of a preceding meeting shall take place except in relation to their accuracy.
- c Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the Chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d Upon a resolution which confirms the accuracy of the minutes of a meeting, any previous draft minutes or recordings of the meeting shall be destroyed.

6 Disorderly conduct

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly.
- b If, in the opinion of the Chairman, there has been a breach of standing order 6(a) above, the Chairman shall express that opinion and thereafter any councillor (including the Chairman) may move that the person be silenced or excluded from the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
- c If a resolution made in accordance with standing order 6(b) above, is disobeyed, the Chairman may take such further steps as may reasonably be necessary to enforce it and/or he may adjourn the meeting.

7 Voting on appointments

- a Where more than 2 persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. Any tie may be settled by the Chairman's casting vote.

8 Expenditure

- a Any expenditure incurred by the Council shall be in accordance with the Council's financial regulations.
- b **The Council's financial regulations shall be reviewed once a year.**
- c **The Council's financial regulations may make provision for the authorisation of the payment of money in exercise of any of the Council's functions to be delegated to**

a committee, sub-committee or to an employee.

9 Execution and sealing of legal deeds

- a A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.
- b In accordance with a resolution made under standing order 9(a) above, any two members of the Council, may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.**

10 Committees

See also standing order 1 above

- a The Council may, at its annual meeting, appoint standing committees and may at any other time appoint such other committees as may be necessary, and:
 - i. shall determine their terms of reference;
 - ii. may permit committees to determine the dates of their meetings;
 - iii. shall appoint and determine the term of office of councillor or non-councillor members of such a committee (unless the appointment of non-councillors is prohibited by law) so as to hold office no later than the next annual meeting;
 - iv. may in accordance with standing orders, dissolve a committee at any time.

11 Extraordinary meetings

See also standing order 1 above

- a **The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
- b **If the Chairman of the Council does not or refuses to call an extraordinary meeting of the Council within 7 days of having been requested to do so by two councillors, those two councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two councillors.**
- c The Chairman of a committee may convene an extraordinary meeting of the committee or sub-committee at any time.

12 Advisory committees

See also standing order 1 above

- a The Council may appoint advisory committees comprised of a number of councillors and non-councillors.
- b Advisory committees and any sub-committees may consist wholly of persons who are non-councillors.

13 Urgent Business

The Clerk, in consultation with the Chairman, or in their absence, the Vice-Chairman, be authorised to make urgent decisions on behalf of the Council when a decision/action is required before the next meeting of the Council. Any decisions taken in accordance with this authority will be reported to the next meeting of the Council.

14 Accounts and Financial Statement

- a All payments by the Council shall be authorised, approved and paid in accordance with the Council's financial regulations, which shall be reviewed annually.
- b A Financial Statement prepared on the appropriate accounting basis (receipts and payments) for a year to 31 March shall be presented to each councillor before the end of the following month of May. The Statement of Accounts of the Council (which is subject to external audit), including the annual governance statement, shall be presented to Council for formal approval before 30 June.

15 Estimates/precepts

- a **The Council shall approve written estimates for the coming financial year** at its meeting before the end of January.
- b Any committee desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year no later than December.

16 Canvassing of and recommendations by councillors

- a Canvassing councillors or the members of a committee or sub-committee, directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such an appointment. The Proper Officer shall disclose the requirements of this standing order to every candidate.
- b A councillor or a member of a committee shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for promotion; but, nevertheless, any such person may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- c This standing order shall apply to tenders as if the person making the tender were a candidate for an appointment.

17 Inspection of documents

- a Subject to standing orders to the contrary or in respect of matters which are confidential, a councillor may, for the purpose of his official duties (but not otherwise), inspect any document in the possession of the Council or a committee or a sub-committee, and request a copy for the same purpose. The minutes of meetings of the Council, its committees or sub-committees shall be available for inspection by councillors.

18 Unauthorised activities

- a Unless authorised by a resolution, no individual councillor shall in the name or on behalf of the Council, a committee:
 - i. inspect any land and/or premises which the Council has a right or duty to inspect; or
 - ii. issue orders, instructions or directions.

19 Confidential business

- a Councillors shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature.
- b A councillor in breach of the provisions of standing order 19(a) above may be removed from a committee or a sub-committee by a resolution of the Council.

20 Matters affecting council employees

- a If a meeting considers any matter personal to a Council employee, it shall not be considered until the Council has decided whether or not the press and public shall be excluded pursuant to standing order 1(c) above.
- b The Chairman of the Council or in his absence, the Vice-Chairman shall upon a resolution conduct a review of the performance and/or appraisal of the Parish Clerk and shall keep a written record of it.
- c Any persons responsible for all or part of the management of Council employees shall keep written records of all meetings relating to their performance, and capabilities, grievance and disciplinary matters.
- d The Council shall keep written records relating to employees secure. All paper records shall be secured under lock and electronic records shall be password protected.
- e Records documenting reasons for an employee's absence due to ill health or details of a medical condition shall be made available only to those persons with responsibility for the same.
- f Only persons with line management responsibilities shall have access to employee records.

21 Variation, revocation and suspension of standing orders

- a Any or every part of the standing orders, except those which are mandatory by law, may be suspended by resolution in relation to any specific item of business.
- b A motion to permanently add to or to vary or to revoke one or more of the Council's standing orders not mandatory by law shall not be carried unless two-thirds of the councillors at a meeting of the Council vote in favour of the same.

Bold denotes legislative requirement.

These Standing Orders were approved by the Council on 13 February 2013.