

# Melchet Park & Plaitford Parish Council

## STANDING ORDERS

*These Standing Orders were adopted by the Council at its Meeting held on 16<sup>th</sup> March 2015*

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## **1. Meetings**

- 1.1 Meetings of the Council shall be held in each year on such dates and times and at such place as the Council may direct.

## **2. The Statutory Annual Meeting**

- 2.1 In an election year the Annual Parish Council Meeting shall be held 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 the Annual Parish Council Meeting shall be held on such day in May as the Council may direct.
- 2.2 In addition to the Statutory Annual Parish Council Meeting at least three other statutory meetings shall be held in each year on such dates and times and at such place as the Council may direct.

## **3. Chairman of the Meeting**

- 3.1 The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.

## **4. Proper Officer**

- 4.1. 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: -
- a) To receive declarations of acceptance of office.
  - b) To receive and record notices disclosing interests at meetings.
  - c) To receive and retain plans and documents.
  - d) To sign notices or other documents on behalf of the Council.
  - e) To receive copies of bylaws made by another local authority.
  - g) To certify copies of bylaws made by the Council.
  - f) To sign and issue the summons to attend meetings of the Council.
  - h) To keep proper records for all Council meetings.

## **5. Quorum of the Council**

- 5.1 Three members or one-third of the total membership, whichever is the greater, shall constitute a quorum at meetings of the Council.
- 5.2 **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 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 Chairman may fix.**

## **6. Voting**

- 6.1 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 must be made before moving on to the next business.
- 6.2 Subject to a) and b) below the Chairman 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.
- a) 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 Chairman and Vice-Chairman until the end of their term of office he may not give an original vote in an election for Chairman.
  - b) The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.

## **7. Order of Business**

- 7.1. At each Annual Parish Council Meeting the first business shall be:-
- a) To elect a Chairman of the Council
  - b) To receive the Chairman's declaration of acceptance of office or, if not then received, to decide when it shall be received.
  - c) In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.
  - d) To decide when any declarations of acceptance of office which have not been received as provided by law shall be received.
  - e) **To elect a Vice-Chairman of the Council.**
  - f) **To appoint representatives to outside bodies.**
- 7.2 At every meeting other than the Annual Parish Council 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) and undertaking to observe the Council's code of conduct as are required by law to be made or, if not then received, to decide when they shall be received.
- 7.3 **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 18 must be read in conjunction with this requirement.**
- 7.4 **The first business shall be followed by the next two items unless the Council otherwise decides on the ground of urgency:-**
- 7.5 After consideration to approve the signature of the Minutes by the person presiding as a correct record.
- 7.6 To deal with business expressly required by statute to be done.

## **8. Urgent Business**

- 8.1. A motion to vary the order of business on the ground of urgency:
- a) **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, and**
  - b) **Shall be put to the vote without discussion.**

## **9. Resolutions Moved On Notice**

- 9.1 **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 6 clear days before the next meeting of the Council.**
- 9.2 **The Clerk shall insert in the summons for every meeting all notices of motion or recommendation properly given 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.**
- 9.3 **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.**
- 9.4 **Every resolution or recommendation shall be relevant to some subject over which the Council has power or duties, which affects its area.**

## **10. Resolutions Moved Without Notice**

- 10.1. Resolutions dealing with the following matters may be moved without notice:-
- a) To appoint a Chairman of the meeting
  - b) To correct the Minutes
  - c) To suspend any Standing Order (see Order 34 below).

## **11. Rules of Debate**

- 11.1 No discussion of the Minutes shall take place except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chairman.
- 11.2 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 reduced to writing and handed to him before it is further discussed or put to the meeting.
- 11.3 A member when seconding a resolution or amendment may, if he then declares his intention to do so, reserve his speech until a later period of the debate.
- 11.4 A member shall direct his speech to the question under discussion or to a personal explanation or to a question of order.
- 11.5 No speech by a mover of a resolution shall exceed 5 minutes and no other speech shall exceed 5 minutes except by consent of the Council.
- 11.6 An amendment shall not have the effect of negating the resolution before the Council.
- 11.7 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.
- 11.8 A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
- 11.9 The mover of a resolution or of an amendment shall have a right of reply, not exceeding 3 minutes.
- 11.10 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.
- 11.11 A member may speak on a point of order or a personal explanation. A member speaking for these purposes shall be heard forthwith. A personal explanation shall be confined to some material part of a former speech by him which may have been misunderstood.
- 11.12 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.
- 11.13 When a resolution is under debate no other resolution shall be moved except the following:-
- a) To amend the resolution.
  - b) To proceed to the next business.
  - c) To adjourn the debate.
  - d) That the question be now put.
  - e) That a member named be not further heard.
  - f) That a member named leave the meeting.
  - g) To exclude the public and press.
  - h) To adjourn the meeting.
- 11.14 A member shall remain seated when speaking unless requested to stand by the Chairman.

- 11.15 The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed.
- 11.16 Members shall address the Chairman. If two or more members wish to speak, the Chairman shall decide who to call upon.
- 11.17 Whenever the Chairman speaks during a debate all other members shall be silent.

## **12. Closure**

- 12.1 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 motion is seconded, the Chairman shall put the motion but, in the case of a motion “that the question be now put”, only if he is of the opinion that the question before the Council has been sufficiently debated. If the motion “that the question be now put” is carried, he shall call upon the mover to exercise or waive his 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.

## **13. Disorderly Conduct**

- 13.1 All members must observe the Code of Conduct which was adopted by the council on 16th July 2012.
- 13.2 No member shall at a meeting persistently disregard the ruling of the Chairman, behave in such a manner as to bring the Council into disrepute.
- 13.3 If, in the opinion of the Chairman, a member has broken the provisions of paragraph 13.2. 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 motion, if seconded, shall be put forthwith and without discussion.
- 13.4 If either of the motions mentioned in paragraph 13.3. is disobeyed, the Chairman may adjourn the meeting or take such further steps as may reasonably be necessary to enforce them.

## **14. Right of Reply**

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

## **15. Alteration of Resolution**

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

## **16. Rescission of Previous Resolution**

- 16.1 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 3 members of the Council.
- 16.2 When a special resolution or any other resolution moved under the provisions of paragraph 16.1. of this Order has been disposed of, no similar resolution may be moved within a further six months.

## **17. Voting On Appointments**

- 17.1 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.

## **18. Discussions and Resolutions Affecting Employees of the Council**

- 18.1 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 has decided whether or not the press and public shall be excluded. (See Standing Order No. 28).

## **19. Resolutions on Expenditure**

- 19.1 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 the Council or reduce the revenue, or which would involve capital expenditure, shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

## **20. Expenditure**

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

## **21. Sealing of Documents**

- 21.1 A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution.
- 21.2 Any two members of the Council named in a resolution moved under the provisions of paragraph (21.1) of this Order may seal, on behalf of the Council, any document required by law to be issued under seal.

## **22. Special Meeting**

- 22.1 The Chairman of the Council may summon an additional meeting 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 the special meeting and no other business shall be transacted at that meeting.

## **23. Accounts and Financial Statement**

- 23.1 The Financial Regulations dated May 2003 shall apply.

## **24. Interests**

- 24.1 If a member has an interest (pecuniary or non-pecuniary) as defined by the Code of Conduct adopted by the Council on 16<sup>th</sup> July 2012 then he shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required, irrespective of whether or not the member has already registered that interest with the Monitoring Officer.
- 24.2 A member who has a disclosable interest, as defined by the Code of Conduct adopted by the Council on 16<sup>th</sup> July 2012 must withdraw from the room or chamber during consideration of the item to which the interest relates unless he has dispensation to remain.

- 24.3 A member who has a disclosable interest (as defined by the Code of Conduct adopted by the Council on 16<sup>th</sup> July 2012) in an item may not speak on that item unless he has a dispensation to do so.
- 24.4 A member who has a disclosable interest, (as defined by the Code of Conduct adopted by the Council on 16<sup>th</sup> July 2012) in an item may not vote on that item unless he has a dispensation to do so.
- 24.5 The Clerk may be required to compile and hold a register of member's interests in accordance with agreement reached with the Monitoring Officer of the Responsible Authority and/or as required by statute.
- 24.6 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 any such disclosure. Where a relationship to a member is disclosed, Standing Orders 24.1. through 24.4. shall apply as appropriate.
- 24.7 The Clerk shall make known the purport of this Standing Order to every candidate.

## **25. Canvassing of And Recommendations By Members**

- 25.1 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.
- 25.2 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, 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.

## **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 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.

## **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, which may, however, temporarily exclude the public by means of the following resolutions: - *"That in view of the special/confidential nature of the business about to be transacted, it is advisable in the public interest that the press and public be temporarily excluded and they are instructed to withdraw."* The Council shall state the special reason for exclusion.
- 28.2 At all meetings of the Council the Chairman may at his discretion, and at a convenient time in the transaction of business, adjourn the meeting so as to allow any members of the public to make representations, answer questions or give evidence in relation to the business to be transacted at that meeting.

- 28.3 The Clerk shall afford to the press reasonable facilities for the taking of their report of any proceedings at which they are entitled to be present.
- 28.4 If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that he be removed from the meeting and may adjourn the meeting for such period as is necessary to restore order.

### **29. Confidential Business**

- 29.1 No member of the Council shall disclose to any person not a member of the Council any business declared to be confidential by the Council.

### **30. Liaison with County and District Councillors**

- 30.1 A summons and Agenda for each meeting, and a copy of the Minutes of the preceding meeting shall be sent, together with an invitation to attend, to the County and Borough Councillors for the appropriate division or ward.
- 30.2 Unless the Council otherwise orders, a copy of each letter ordered to be sent to the County or District Council shall, where appropriate, be transmitted to the County Councillor for the division or to the Borough Councillor for the ward as the case may require.

### **31. Planning Applications**

- 31.1 The Clerk shall, record the following particulars of every planning application notified to the Council: -
- the name of the applicant and reference number
  - the place and details to which it relates
  - the Council's response;
  - the decision.

### **32. Financial Matters**

- 32.1 The Council shall consider and approve Financial Regulations drawn up by the Responsible Financial Officer. The Financial Regulations of the Council shall be subject to regular review, at least once every four years.

### **33. Code of Conduct on Complaints**

- 33.1 The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or member in such manner as adopted by the Council except for those complaints which should be properly directed to the Monitoring Officer at Test Valley Borough Council for consideration.

### **34. Variation, Revocation and Suspension of Standing Orders**

- 34.1 Any or every part of the Standing Orders except those printed in bold type may be suspended by resolution in relation to any specific item of business.
- 34.2 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.

### **35. Standing Orders to be given to Members**

- 35.1 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 acceptance of office.

# Melchet Park & Plaitford Parish Council

## PROTOCOL FOR REPORTING AT MEETINGS

[Annex to Standing Order No: 28.3]

### **1. Introduction**

- 1.1 This Protocol provides guidance to members of the public or press who wish to photograph or record proceedings at any of the above Council's public meetings.
- 1.2 The Council supports the principles of openness and transparency in the way it conducts its meetings. Sound recording, photographing, filming, and use of social media at meetings which are held in public is permitted:
  - (a) subject to the provisions of this Protocol; and
  - (b) provided that the Chairman is satisfied that it will not be disruptive or distracting to the good order and conduct of the meeting.
- 1.3 No restrictions will be placed on anyone using social media at a public meeting subject to the limitations regarding photography and audio/visual recording set out in this Protocol.
- 1.4 Meetings which take the form of hearings or which discuss sensitive employment or contractual information may not be suitable for recording due to the nature of some of the evidence given at the meeting. It will be at the Chairman's discretion to determine whether the recording of a particular meeting will be permitted.
- 1.5 Failure to follow the provisions within this Protocol may result in the Chairman refusing to allow the proceedings to be photographed or recorded.
- 1.6 For the purposes of this Protocol 'recording' includes sound recording, photographing, filming, and use of social media. Social media includes, but is not limited to Twitter, Facebook and blogs.

### **2. Before the meeting**

- 2.1 Those wishing to record proceedings at a meeting are recommended to contact the Clerk as early as possible before the start of the meeting so that arrangements can be discussed and the agreement of the Chairman be sought.
- 2.2 The name, organisation (if applicable) and contact details of the person wishing to record proceedings are required and should be provided before the meeting if possible:

### **3. At the meeting**

- 3.1 Notices will be displayed in the meeting room advising that proceedings may be recorded, and the Chairman will make an announcement to this effect at the beginning of the meeting if a request has been received.
- 3.2 Members of the public attending a meeting to ask a question will be deemed to have given consent to being photographed or recorded.
- 3.3 Members of the public seated in the public seating area who actively object, should not be photographed, filmed or recorded as long as this does not undermine the broader transparency of the meeting.

- 3.4 Photography or filming must take place from a fixed position in the meeting room approved by the Chairman, to ensure that the view of Councillors, officers, public and press, is not obstructed.
- 3.5 The use of flash photography or additional lighting will only be permitted if agreed in advance with the Clerk and the Chairman.
- 3.6 Photography or audio/visual recording will be stopped if the Chairman feels it is disrupting or inhibiting the meeting in any way.
- 3.7 If someone refuses to stop recording when requested to do so the Chairman will ask the person to leave the meeting. If the person refuses to leave, the Chairman will adjourn the meeting or make other appropriate arrangements for the meeting to continue without disruption.
- 3.8 Anyone asked to leave a meeting because they have refused to comply with the Chairman's request to do so, may be refused permission to record future meetings.

#### **4. After the meeting**

- 4.1 Photographs and audio/visual recordings must not be edited in a way that could lead to misinterpretation of the proceedings. This includes refraining from editing the views being expressed in a way that may ridicule or show lack of respect towards those being photographed or recorded.
- 4.2 If someone fails to comply with this Protocol the Chairman may refuse to allow this person to record any future meetings.
- 4.3 The responsibility for how any photographs or audio/visual recording is used rests with the person who made the recording and not the Council.