

## **HYDE PARISH COUNCIL**

### **STANDING ORDERS**

#### **1. MEETINGS**

##### **a) The Statutory Annual Meeting**

i) 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.

ii) 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.

iii) If no other time is fixed, the annual meeting of the council shall take place at 6pm.

b) 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.

c) 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.

d) The meeting notice must be posted with a minimum of three clear days notice, this does not include the day on which the 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.

e) The Chair of the Council may convene an extraordinary meeting of the Council at any time. If the Chair of the Council does not or refuses to call an extraordinary meeting 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 must be signed by the two councillors.

#### **2. CHAIR OF THE MEETING**

The Chair, if present, shall preside at a meeting. If the Chair is absent from a meeting a councillor, as chosen by the councillors present at the meeting, shall preside the meeting. The person presiding at a meeting may exercise all the powers and duties of the Chair in relation to the conduct of the meeting.

#### **3. PROPER OFFICER**

Where a statute, regulation or order confers function or duties on the proper officer of the Council, in the following cases the proper officer shall be the clerk:

- 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
- f) to sign and issue the summons to attend meetings of the Council

- g) give public notice of the time, place and agenda at least three clear days before a meeting of the Council.
- h) to keep proper records for all Council meetings.

#### **4. QUORUM OF THE COUNCIL**

**a) Three councillors or one third of the total membership, whichever is the greater, shall constitute a quorum at meetings of the Council.**

b) 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 any business which is not transacted shall be transacted at the next meeting or on such other day as the Chair may fix.

#### **5. VOTING**

a) members shall vote by show of hands or, if at least two members so request, by signed ballot. Such a request shall be made before moving on to the next item of business on the agenda.

**b) 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.**

**c) (i) subject to (ii) and (iii) below, the Chair may give an original vote on any matter put to the vote, and in any case of equality of votes, may give a casting vote whether or not he gave an original vote.**

**(ii) 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 until the end of their term of office he may not give an original vote in an election for Chair.**

**(iii) the person presiding must give a casting vote whenever there is an equality of votes in an election for Chair.**

d) There should be a proposer and seconder to each motion.

#### **6. ORDER OF BUSINESS**

a) In an election year the councillors should execute declarations of acceptance of office and written undertakings to observe the code of conduct adopted by the Council before the commencement of the meeting.

**b) At each Annual Parish Council Meeting the first business shall be:**

**(i) to elect a Chair of the Council**

**(ii) to receive the Chair's declaration of office or, if not then received, to decide when it shall be received**

**(iii) in the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations**

**(iv) to decide when any written undertakings of acceptance of office and written undertakings to observe the code of conduct adopted by the council which have not been received as provided by law, shall be received.**

(v) to appoint representatives to outside bodies

and shall thereafter follow the order set out in Standing Order number 6(e) below

**c) At every meeting other than the Annual Parish Council Meeting the first business shall be to appoint a Chair if the Chair be absent and to receive such declarations of acceptance of office (if any) and undertakings 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.**

d) The Council shall review the pay and conditions of the clerk annually.

e) After the first business has been completed, the order of business, unless the Council otherwise decides on the grounds of urgency, shall be as follows:

(i) 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.

**(ii) after consideration, to approve the signature of the minutes by the person presiding as a correct record**

**(iii) to deal with business expressly required by statute to be done.**

(iv) to dispose of business, if any, remaining from the last meeting.

(v) to deal with any other business specified in the summons including, if necessary, to authorise the signing of orders for payment. **Orders for the payment of money shall be authorised by resolution of the Council and signed by two members.**

## **7. RESOLUTIONS**

a) 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.

b) Any business requested by a councillor or by a parishioner in writing shall be put on the agenda provided that sufficient notice is given

c) Every resolution or recommendation shall be relevant to some question over which the Council has power or which affects its area.

d) The following may be moved without notice: to appoint a Chair of the meeting; to correct the minutes; to alter the order of business, to close or adjourn the debate, to refer a matter to a committee, to appoint a committee, to exclude the press and public, to silence or eject from the meeting a member named for misconduct, to suspend any standing order, to adjourn the meeting.

e) A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least two councillors to be given to the Proper Officer in accordance with standing order 7 (a – d).

8. CODE OF CONDUCT

- a) All members must observe the Code of Conduct which was adopted by the council on 12<sup>th</sup> September 2012, a copy of which is annexed to these standing orders.
- b) No member shall behave at a meeting in such a way as to bring the Council into disrepute.
- c) Any complaint that a member has failed to comply with the Code of Conduct should be addressed to the Monitoring Officer, New Forest District Council, Appletree Court, Lyndhurst, SO43 7PA
- d) If a member reasonably believes another member is in breach of the code of conduct, that member is under a duty to report the breach to the Monitoring Officer as above.

9. EXPENDITURE

- a) Expenditure shall be governed by the financial regulations of the Council, a copy of which is annexed to these standing orders

10. MEMBERS' DISCLOSABLE PECUNIARY AND NON-PECUNIARY INTERESTS

- a) All members shall disclose to the Monitoring Officer their disclosable pecuniary interests as required by legislation.
- b) All members shall disclose to the Monitoring Officer their non-pecuniary interests that comprise the membership, or position of general control or management of any body:
  - (i) to which the Council has appointed or nominated them; or
  - (ii) exercising functions of a public nature; or
  - (iii) directed to charitable purposes; or
  - (iv) one of whose principal purposes includes the influence of public opinion or policy.
- c) The Monitoring Officer shall record all such disclosures in a Register of Interests. The register shall be open to public inspection and as a matter of law has to appear on the Council's and the District Council's websites.

Members shall notify any changes to the above disclosable pecuniary interests and non-pecuniary interests to the Monitoring Officer within 28 days of the change occurring, and the Monitoring Officer will amend the Register accordingly.

- d) Any member who has a disclosable pecuniary interest, or a non-pecuniary interest falling within (a) or (b) above, in any matter that a meeting is considering, shall disclose the existence and nature of that interest to the meeting. The disclosure shall be at the beginning of the consideration of the matter or when the interest becomes apparent.

If the interest is a disclosable pecuniary interest the member shall not speak or vote on the matter unless a dispensation has been granted enabling him or her to do so.

If the interest is a non-pecuniary interest, the member may speak and vote, unless prohibited from doing so by common law principles relating to bias and predetermination ( (e) below).

Where a relative, friend, or close associate of a member has an interest in a matter coming before a meeting of the Council and that interest is of the same nature as a disclosable pecuniary interest set out in legislation, and the member is aware of the existence of that interest, the member shall disclose the existence and nature of that interest to the meeting. The member may only participate in the meeting to the extent permitted by the rules set out in (e) below, (relating to participation in situations where the common law rules of bias and predetermination apply).

e) Where a member is prohibited from participating in a decision under the common law rules relating to bias and predetermination, the member must move to a designated area of the meeting room set aside for members who do not intend to vote, declare their position and explain that they will not be voting. They may then make a statement and answer any questions, and may remain in the meeting room for the duration of the business. As well as not voting, the member must not move or second any recommendation.

f) **Dispensations.** A member with a disclosable pecuniary interest can apply for a dispensation which, if granted, would enable him or her to speak and/or vote at a meeting on a matter in which he or she has an interest. The following power is delegated to the clerk: to be the proper officer for the purpose of requests for dispensations under section 31(4) of the Localism Act 2011, and, in consultation with the Chair of the Council to decide whether to grant a dispensation to enable the member concerned to participate in the discussion, or to vote, or both. 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.

g) If a candidate for any appointment under the Council is to his knowledge related to any member of the council, he and the person to whom he is related shall disclose the relationship. Failure to do so will lead to disqualification or, if appointed, to dismissal without notice.

## **11. INSPECTION OF DOCUMENTS**

a) All minutes kept by the Council shall be open for the inspection of any member of the Council or any local government elector of the parish.

## **12. ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS**

a) **The public and press shall be admitted to all meetings of the Council which may, however, temporarily exclude the public and press** by means of the following resolution: "That in view of the 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".

b) At all meetings of the Council, the Chair may, at his/her discretion and at a convenient time in the transaction of business, allow any members of the public to address the meeting in relation to the business being transacted. Such sessions form part of the Council meeting in law and shall be duly minuted. The Code of Conduct which was adopted by Hyde Parish Council on 12<sup>th</sup> September 2012 shall

apply to members of the Council in respect of the entire meeting. Where, however, members of the Council exercise their rights pursuant to Standing Order 10(b) members of the public **shall** be allowed to attend the meeting to make representations, answer questions and give evidence relating to the business to be transacted.

c) The Council supports the principles of openness and transparency in its decision making in line with Section 40 of the Local Audit and Accountability Act 2014. The clerk shall afford to the press and members of the public reasonable facilities for taking of their report of any proceedings at which they are entitled to be present. The Council supports the recording and use of social media by the public and press of meetings that are open to the public, for either live or subsequent broadcast. A separate guidance note is provided with general information about the recording and use of social media at Council meetings.

d) If any member of the public interrupts the proceedings or causes a disturbance at a meeting, the Chair may, after warning, order that he/she be removed from the meeting and may adjourn the meeting for such period as may be necessary to restore order.

### 13. LIAISON WITH COUNTY AND DISTRICT COUNCILLORS

a) A copy of the summons and agenda for each meeting shall be sent, together with an invitation to attend, to the County and District Councillors representing the Parish.

b) Other liaison shall be at the discretion of the members.

### 14 PLANNING APPLICATIONS

a) The clerk shall keep a record of planning applications received

b) The Chair shall be notified as soon as possible

c) Letters shall be sent to the applicant and owners of properties likely to be affected giving the date and time when representative parish councillors intend to visit the site and details of the Council meeting at which the application will be discussed

### 15 FINANCIAL MATTERS

a) The Council shall consider and approve Financial Regulations drawn up by the Responsible Financial Officer

b) Such regulations shall include detailed arrangements for the following:

(i) the accounting records and systems of internal control

(ii) the assessment and management of risks faced by the Council

(iii) the work of the internal auditor and the receipt of regular reports from the internal auditor which shall be required at least annually

(iv) the financial reporting requirements of members and local electors

(v) obtaining quotations for and placing orders for the supply of goods or the execution of works. A formal tender shall be required for works over the value of £10000 (ten thousand pounds).

### 16 VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

- a) Any or every part of the Standing Orders except those printed in **bold** type (which are mandatory) may be suspended by resolution in relation to any specific item of business.
- b) 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
- c) the Council shall review the Standing orders from time to time and make alterations as required

## 17 STANDING ORDERS TO BE GIVEN TO MEMBERS

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 and written undertaking to observe the code of conduct adopted by the Council.

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