

## **Weston Parish Council Standing Orders – May 2023**

### **1. General**

- 1.1 These Standing Orders are based on the Model Standing Orders for Local Councils published by the National Association of Local Councils (NALC) 2018 (ENGLAND) Updated 2022
- 1.2 The Parish Clerk is the Proper Officer of the Council

### **2. Meetings**

- 2.1 Ordinary meetings of the Parish Council (the 'Council') are held monthly, except for the months of August and December, on such dates and times and at such place as the Council may direct.
- 2.2 The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.
- 2.2 Three members or one-third of the total membership, whichever is the greater, shall constitute a quorum at meetings of the Council.
- 2.3 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.
- 2.4 The Proper Officer shall at least three clear days before a meeting (excluding Sundays and Public Holidays) serve on Councillors by email, unless any member specifically requests another form of communication, a signed summons confirming the time, place and agenda. Agendas will be displayed in the village notice board and posted on Council Village Website.
- 2.5 The Order of Business for ordinary meetings is:
  - Apologies for Absence and Declarations of Interest
  - Open Forum
  - The minutes of the last meeting to be confirmed and signed
  - Matters arising from the minutes not elsewhere on the Agenda ???
  - Reports from County & District Representatives, Parish Councillor Reports as required
  - Financial Matters
  - Planning
  - Correspondence / Residents Communications
  - Open Forum
  - Items for consideration - non-agenda and business for next meeting
- 2.6 A motion to vary the order of business on the ground of urgency may be proposed by the Chairman or by any member and, if proposed by the Chairman, may be put to the vote without being seconded and without discussion.
- 2.7 The Open Forum provides ten-minutes open forum to receive questions and comment from members of the public. A question shall not require a response at the meeting and any discussion of any subject raised will be at the discretion of the Chairman of the meeting who may direct that a written response be given. A second Open Forum may be allowed at the end of the meeting at the discretion of the Chairman.
- 2.8 Voting on a motion shall be by a show of hands, or if at least two members so request by ballot. 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. Such a request shall be made before moving on to the next item of business on the agenda. In the case of an even vote, the Chairman has a second or casting vote.
- 2.9 A motion to rescind a resolution or to re-open a matter that has been settled cannot be made within six months of the original settlement unless three members support it in writing.
- 2.10 Standing Orders may be rescinded on the unanimous orders of the Chairman.
- 2.11 In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office. In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.
- 2.12 On taking office each councillor must execute a Declaration of Acceptance of Office in the presence of the Proper Officer.

2.13 The general Order of Business for the Annual Meeting is:

- Election of Chair and Vice-Chair
- Apologies for Absence and Declarations of Interest
- Open Forum
- Approval of minutes
- Matters arising
- Approval of Accounts and Annual Audit
- Review of Policies and Procedures, including Standing Orders
- Current items for consideration

2.14 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.

2.15 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 address the meeting in relation to the business to be transacted at that meeting.

2.16 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.

2.17 Any member of the public or press has the right to record proceedings when the meeting is open to the public so long as the intention to record is disclosed to and approved by the Chairman of the Council at the commencement of the meeting.

2.18 The Chairman of the Council may convene an extraordinary meeting of the Council at any time subject to the appropriate notice period being given as set out in 2.4

### **3. Rules of Debate**

3.1 No discussion shall take place upon the minutes except for their accuracy.

3.2 All remarks shall be addressed to the Chairman.

3.3 No member shall engage in a discussion with a member of the public unless directed to do so by the Chairman.

3.4 Any member must speak only on the motion under discussion. Each motion must be proposed and seconded.

3.5 The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.

### **4. Resolutions Moved on Notice**

4.1 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 ten clear days before the next meeting of the Council.

4.2 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.

4.3 Every resolution or recommendation shall be relevant to some subject over which the Council has power or duties, which affects its area.

### **5. Resolutions Moved Without Notice**

5.1 Resolutions may be moved without notice on procedural matters or to vary the order of business on the grounds of urgency. Such resolution shall be put to the vote without discussion.

### **6. Code of Conduct and Dispensations**

6.1 All councillors shall observe the Code of Conduct adopted by the Council on 4<sup>th</sup> July 2012. (Reviewed March 2023)

6.2 No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairman of the meeting shall request such person(s) to moderate or improve their conduct. If person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.

6.3 Unless a dispensation has been granted, a councillor shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest and may return to the meeting after it has considered the matter in which the interest was held.

6.4 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. A decision as to whether to grant a dispensation shall be made by a meeting of the Council for which the dispensation is required and that decision is final.

#### **1. Code of Conduct Complaints**

7.1 Upon notification by the District 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 10, report this to the Council.

7.2 Upon notification by the District or Unitary Council that a councillor 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.

#### **7. Financial Matters**

7.1 The Council shall consider and approve Financial Regulations drawn up by the Responsible Financial Officer and which shall be subject to an annual review

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

9.1 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 press and public shall be excluded.

9.2 A matter personal to a member of staff that is being considered by a meeting of the Council shall be subject to standing order 10.

#### **10. Management of Information**

10.1 Under Data protection legislation the Council shall have policies and procedures in place to keep secure information (including personal data) which it holds in paper and electronic form.

10.2 The Council shall have in place, and keep under review, policies for dealing with

- the retention and safe destruction of all information including personal data
- responding to an individual exercising statutory rights concerning their personal data
- responding to and managing a personal data breach.

10.3 Councillors and staff shall not disclose confidential information or personal data without legal justification.

10.4 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

10.5 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.

10.6 The Council shall publish information in accordance with the requirements of the Smaller Authorities (Transparency Requirements) (England) Regulations 2015.

The above Standing Orders were formally adopted by Weston Parish Council at the meeting held on

Date: 10<sup>th</sup> May 2023

Minute Ref: AGM May 2023 - 230507