

PRESTON PARISH COUNCIL

Doc001 – Standing Orders

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Chair: Margaret Trinder

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PRESTON PARISH COUNCIL

STANDING ORDERS

These orders should be read in conjunction with the Council's Financial Regulations and Code of Conduct.

1. Councillors

1.1 Following election or co-option to the Council, each Councillor will be issued with a copy of the Code of Conduct and Standing Orders of the Council. They will sign the form of Declaration of Acceptance of Office in the presence of the Clerk of the Council.

1.2 All Councillors will observe the Code of Conduct at all times when on Council business and no member will act in such a way that will bring the Council into disrepute, behave offensively in meetings or obstruct the Council's business.

1.3 The Code of Conduct adopted by the Council will define when a Councillor will declare a personal or prejudicial interest in an item for discussion at a Council meeting. The Councillor will declare that interest and the nature of the interest at the earliest opportunity.

1.4: Preston Parish Councillors have signed up to the civility and respect pledge in conjunction with the Code of Conduct.

2. Date of Parish Council Annual Meeting

2.1 If the Annual Meeting is in an election year it must be held within 14 days after that election. If it is not an election year then the annual meeting will take place on an appropriate day in May.

2.2 If the outgoing Chairman is available then he/she will preside until a new Chairman has been elected. The first business of the Annual Meeting will be the election of the Chairman and Vice Chairman, if appropriate and to receive their acceptance of office.

2.3 The retiring Chairman will report on the activities of the Council for the preceding year at the Annual Parish Meeting.

3. Council Meetings

3.1 In addition to the Parish Council Annual Meeting, at least three other meetings of the Full Council shall be held.

3.2 The settings of these dates will be decided by the May meeting and published on the council website.

3.3 Meetings will be held in appropriate, accessible accommodation. Unless no other accommodation is available the meetings will not be held in premises used for the supply of alcohol.

4. Notice of Meetings

4.1 Members will be summonsed to meetings by email or post at least five days before a meeting.

4.2 At least three clear days (not including the days of issue and meeting) before a meeting of the Council, the agenda must be posted on notice boards in the parish and on the village website.

4.3. The minimum three clear days for notice of a meeting 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.

4.4 The notice of meeting must include the business to be discussed so that members of the press and public can participate. They may be temporarily excluded from the meeting if the business is regarded as confidential.

5. Parish Council Correspondence

Parish Councillors are provided with a corporate Parish Council email address by the Clerk. These are used for all Parish Council correspondence to ensure that there is appropriate segregation and security for Parish Council business.

6. Powers and Duties of the Chairman

The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting. If the Chairman is not present then the Vice Chairman will preside. If they are not present then the first matter on the agenda will be the election of an appropriate Councillor who will chair the meeting. Whoever chairs the meeting will assume the duties of the Chairman for the meeting.

7. Proper Officer

7.1 The Clerk of the Council is the Proper Officer and Responsible Financial Officer. Other duties and responsibilities of the Clerk are as laid down in the Job Description.

7.2 Notwithstanding those duties and responsibilities, it is the duty of the Clerk to advise Members on the content and interpretation of these Standing Orders.

8. Quorum

Three Members of the Council shall constitute a quorum. If a quorum is not present when the Council meets or if during a meeting the number of Members, for whatever reason, falls below the quorum, the business not transacted at that meeting shall be transacted at the next meeting or on such other day as the Chairman may decide.

9. Voting

9.1 Members shall vote by show of hands

9.2 Only the proposer and seconder will be recorded in the minutes unless a Councillor requests that their vote is noted. A Councillor may also request that the Clerk records how each Councillor has voted, including abstentions. Any request of this nature will be made before moving on to the next business.

9.3 In cases of equal votes the Chairman (or other person presiding) will have a second or casting vote.

10. Agenda

10.1 The agenda for the meeting will be agreed by the Clerk and Chairman or Vice Chairman as appropriate. The agenda will always include an item to enable Councillors to declare interests. An opportunity for public questions will be made available at the start of each meeting.

10.2 No discussion shall take place on the minutes of previous meetings except upon their accuracy. Corrections to the minutes shall be made by resolution and must be initialled by the Chairman.

10.3 The Council may only take decisions on items clearly specified on the agenda. If agreed by the chairman, any urgent items which are not on the agenda may be discussed, but no decision may be made, at that meeting.

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

10.5 Resolutions on procedural matters including those to vary the order of business on grounds of urgency or procedural efficiency may be put to the vote without discussion.

11. Order of Business

11.1 The order of business shall be stated on an agenda paper, which shall be delivered to each Member by email or post at least three clear days prior to the date of the meeting.

11.2 Policies and other lengthy documents will be circulated a week before the meeting if deemed appropriate by the Clerk and Chairman.

11.3 At a meeting of the Council, the order of business, unless the Council decide otherwise, shall be as follows:

- To receive apologies for absence.
- To receive the Chairman's Remarks and Urgent Items
- To receive Declarations of Interest from Councillors on items on the Agenda.
- To receive questions from the general public and press.
- To receive reports from Hertfordshire County Council
- To receive reports from North Hertfordshire District Council.
- To consider the Minutes and after consideration to approve the signature of the Minutes by the person presiding as a correct record.
- To consider matters arising not already on the agenda.
- To receive information on the finance of the Council and to approve payments for invoices presented to the Council.
- To consider any Planning updates and respond to Planning Applications.
- To receive the Clerk's report

- To consider matters pertaining to Open Spaces, Recreation and Play Areas.
- To consider matters pertaining to Highways
- To consider matters pertaining to Footpaths.
- To receive a report on Cricket Club activities.
- To note any correspondence received
- To consider matters for discussion at a future council meeting.

11.4 At the Annual Meeting of the Parish Council, the order of business will be:

- To elect a Chairman of the Council.
- To receive the Chairman’s declaration of acceptance of office.
- To elect a Vice-Chairman of the Council.

These items will be followed by the usual agenda for a Parish Council meeting (item10.3)

11.5: At the Annual Parish Meeting, the order of business will be:

- Records of attendance and apologies for absence
- Minutes of the last Annual Parish Meeting
- Annual Report by the Chairman of the Parish Council
- Financial Report by the Responsible Financial Officer
- Reports from County and District Councillors
- Police report
- Report by Local organisations
- Open Forum – Chaired by the Chairman

12. Admission of the Press and Public to Meetings

12.1 Except where a resolution to exclude is passed, members of the press or public may attend all meetings.

12.2 The total time allocated to public questions at any one meeting shall not exceed 15 minutes, except at the discretion of the Chairman.

12.3 Within the time specifically set aside, members of the public may petition, question or make observations at meetings of the Parish Council subject to the following provisions:

- A question must address a specific agenda item or be relevant to the activities, functions, powers or duties of the Council and in any case must be relevant to the meeting;
- The asking of a question shall last for no more than three minutes;
- An elector shall be allowed to speak on one occasion only at any meeting except at the discretion of the Chairman.
- If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that he /she be removed from the meeting and may adjourn the meeting for such period as is necessary to restore order.
- The public and press shall be admitted to all meetings of the Council which may, however, temporarily exclude the public by means of the following resolution:

“That due to the special/confidential nature of the business about to be transacted, it is advisable that 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.

13. Rules of Debate

13.1 All remarks shall be addressed to the Chairman.

13.2 The council will meet 'in committee' with members free to speak more than once.

13.3 The Chairman shall determine if an item has been sufficiently discussed and may propose that the motion be put or that the meeting move on to the next agenda item.

13.4 The ruling of the Chairman on a point of order or on the admissibility of an item shall not be discussed.

13.5 A member of the public or a representative of a public body shall be allowed to speak at Council meetings at the discretion of the Chairman or by resolution of the Council.

13.6 A motion of closure of a debate may be moved at any time but must be proposed and seconded without comment. The Chairman may refuse such motion if he feels that the question before the Council has not been sufficiently debated.

14. Interests

14.1 If a member has a personal interest as defined in the councils adopted Code of Conduct then he shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required.

14.2 The Clerk is required to compile and hold a register of members' interests in accordance with the agreement reached by the Monitoring Officer of NHDC and/or as required by statute.

15. Confidential Business

No Member of the Council shall disclose to any person, not being a Member of the Council, any business declared to be confidential by the Council.

16. County and District Councillors

County and District Councillors who are not also Parish Councillors shall be invited to attend meetings and shall be sent copies of agendas, minutes and other relevant documentation. They may present a short report to the Council.

17. Length of Meetings

Meetings will start on time and will last for a maximum of 2 hours. Should all items on the agenda not be finished within this time a decision will be made to either continue, defer the items until the next meeting or to arrange an additional meeting.

18. Attendance at Meetings

The Local Government Act 1972 states that when a Council Member fails to attend any meeting for six consecutive months from the date of his/ her last attendance, he/ she ceases to be a member of the authority, unless the Council accepts a reason for the failure to attend before the six months period expires.

19. Extraordinary Meetings

19.1 The Chairman of the Council may convene an extraordinary meeting of the Council at any time.

19.2 If the Chairman 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.

19.3 The minimum three clear days' public notice for 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.

20. Emergency Business

Should it not be appropriate to convene a special meeting then any emergency business will be handled by the Clerk, in consultation with the Chairman or Vice Chairman and one other Councillor. Actions will be reported promptly to the Council.

21. Alteration or Reversal of previous decisions

A decision of the Council, whether affirmative or negative, shall not be reversed within six months except by a special resolution, the written notice of which bears the names of at least three Members of the Council. When such a resolution has been disposed of, no similar resolution may be moved within a further six months.

22. Standing Orders

22.1 These and any other standing orders will be reviewed annually by the Clerk and the Chairman, or at such time as new guidelines are issued or as the law demands. Any amendments will be decided by the Council at the Annual Parish Council Meeting.

22.2 During the course of meetings of the Council, the Chairman's decision as to the interpretation of the standing orders will be final. In cases of doubt, the Council will seek the advice of the Society of Local Council Clerks or Hertfordshire Association of Parish and Town Councils.

22.3 The Council may resolve to suspend a Standing Order, in order to progress the business of the Council, and such decision will be included in the minutes. The suspension will not be taken lightly and it will be time-limited.

23. Financial Regulations

These Standing Orders should be read in conjunction with the Financial Regulations of the Council.

24. Complaints

Any complaints received by the Council are to be dealt with using the Council's complaints procedure.

25. Standing Orders to be given to Members

A copy of these Standing Orders along with the Financial Regulations and Complaints Procedure shall be given to all Members when they take up office.