

LYNCHMERE PARISH COUNCIL



STANDING ORDERS

*Note: Some orders for Parish Councils have been laid down by Acts of Parliament and are therefore compulsory. These are shown in **bold type**. The remaining orders are discretionary and may be varied by resolution in Council.*

This document was re-adopted by Lynchmere Parish Council at a meeting on 06.06.17

1. Meetings

- a} Meetings of the Council shall, unless otherwise notified, normally be held at Camelsdale School, School Road at 8.00 p.m.**
- b} If relocated, 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.**
- c} 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.**
- d} 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.**
- e} The period of time which is designated for public participation in accordance with standing order 1(d) above] shall not exceed 10 minutes and no member of the public shall speak for more than 2 minutes.**
- f} Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's consent**
- g} In accordance with standing order 1(d) 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**
- h} 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 (if any).**

- i} 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.**
- j} Subject to model standing order 1 (1(p) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.**
- k} 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. *(See also standing orders 2 (i) and (j) below.)***
- l} 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. Such a request shall be made prior to the vote being taken**
- m} The minutes of a meeting shall record the names of councillors present and absent.**
- 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 3 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.**
- r} Meetings ought not to exceed a period of (2) hours.**

ANNUAL MEETING

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 April or May as the Council may direct.

c} If no other time is fixed, the annual meeting of the Council shall take place at 7pm.

d} The statutory Annual Meeting (a) in an election year shall be held on the first reasonable day following the fourth day after the ordinary day of elections to the Council and (b) in a year which is not an election year shall be held on the first Tuesday in May.

e} The three other statutory meetings shall be held on the first Tuesday in the months of July, November and February. Seven additional meetings shall be held on the first Tuesday in the months of June, September, October, December, January, March and April. No Full Council meeting will be held in August.

f} The election of the Chairman and Vice-Chairman (if any) of the Council shall be the first business completed at the annual meeting of the Council.

g} 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.

h} 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.

i} In an election year, if the current (non-elected) Chairman of the Council has 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.

2. Proper Officer

a} The Council's Proper Officer shall do the following.

- i. Sign and serve on councillors by delivery or post at their residences a summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee and sub-committee at least 3 clear days before the meeting or if the Council has so resolved electronically serve on councillors such a summons at least 3 clear days before the meeting provided any such email contains the electronic signature and title of the Proper Officer.**
- 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 (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 [2(ai) or 2(aii) 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.**

3. Code of conduct (England)

See also model standing orders 1) above

a} All councillors shall observe the code of conduct adopted by the Council.

b} If paragraph 12(2) of the code of conduct contained in the Local Authorities (Model Code of Conduct) Order 2007 (SI No.1159) has been adopted by the Council or pursuant to relevant provisions in a statutory code of conduct in force at the time, councillors may exercise the rights contained in standing order 7(d) below only if members of the public are permitted to (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted.

c} Councillors with a prejudicial 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.

4. 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 on a regular basis.

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.

5. 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.

In accordance with a resolution made under standing order 4(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.

6. 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.

7. Estimates/precepts

a} The Council shall approve written estimates for the coming financial year

8. Financial matters

a} Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of [£25,000] shall be procured on the basis of a formal tender.

b} tenders are to be assessed and reported to the appropriate meeting of Council or Committee.

c} Neither the Council, nor any committee, is bound to accept the lowest tender, estimate or quote.

d} If the value of a contract is likely to exceed £138,893 (or other threshold specified by the Office of Government Commerce from time to time) the Council must consider whether the Public Contracts Regulations 2006 (SI No.5, as amended) and the Utilities Contracts Regulations 2006 (SI No. 6, as amended) apply to the contract and, if either of those Regulations apply, the Council must comply with EU procurement rules.
