

# HOLT PARISH COUNCIL

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## STANDING ORDERS

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### **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 and other relevant briefing material for the council. They will sign the form of Declaration of Acceptance of Office in the presence of the Clerk of the Council, or of a councillor who has been specifically designated by the Council for this purpose.
- 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 disclosable pecuniary Interest and / or other interests 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 On receipt of a written application from a councillor, the council may grant a dispensation to him or her to speak, and (if agreed by the council) to vote on a matter in which he or she has an interest. The council will record in the minutes the details of the dispensation, which is granted, for public inspection.

### **2 Annual Meetings**

- 2.1 If the annual meeting is in an election year it must be held within 14 days following the day on which the new councillors elected take office. If it is not an election year then the annual meeting will take place on an appropriate day in May.
- 2.2 The outgoing Chair shall preside until a new Chair has been elected.
- 2.3 The first business of the Annual Meeting will be the election of the Chair (and Vice Chair) and to receive their acceptance of office. This will be followed by confirmation (or otherwise) of the need for existing (or new) sub-committees and advisory groups, and election of members thereto.
- 2.4 The retiring Chair will report on the activities of the council for the preceding year.
- 2.5 In addition to the business in 2.2 and 2.3 above, the business of and requirements for an annual meeting will be subject to the same provisions as are specified for council meetings in section 3, below.

### **3 Ordinary & Extraordinary Meetings**

- 3.1 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.
- 3.2 An agreed frequency of ordinary council meetings will be decided at the annual meeting. In addition to the annual meeting, at least 3 other meetings shall be held in each year.
- 3.3 An extraordinary meeting of the council may be convened by the Chair at any time. If the Chair 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.
- 3.4 Councillors will be advised of meetings by the issue of a summons, and agenda.

- 3.5 The agenda for the meeting will be agreed by the Clerk, and Chair of the meeting. The agenda must be issued at least three clear working days before the meeting. Councillors wanting to have items put onto the agenda must advise the clerk at least seven days before the meeting. The requirement for the issue of the summons and agenda also applies to additional ordinary meetings, or extraordinary meeting should they be required.
- 3.6 Notices will be posted on the website and on the Parish Council notice board, informing members of the public of the venue, time, date and business to be transacted at the meeting. The notice will be posted at least three clear working days before the meeting. 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.
- 3.7 The minimum three clear days for notice of a meeting does not include 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.
- 3.8 Meetings will be open to the public and press but they may be temporarily excluded from the meeting if the business is regarded as confidential.
- 3.9 *Recording Meetings*  
The Council and the public have the right to record and transmit electronically the proceedings of a meeting of the Council and of any of its committees. However, the Council would expect that anyone wishing to record will inform those present of their intention to do so. No recording may be made of the public who are in attendance at the meeting, or of matters that occur in the meeting-place immediately prior to or following the meeting, without the Council's prior consent.
- 3.10 *Public participation*
- 3.10.1 An opportunity for public questions will be made available at the commencement of each meeting. The period of time designated for public participation at a meeting shall not normally exceed 30 minutes, unless directed otherwise by the Chair of the meeting.
- 3.10.2 A person wanting to speak shall raise their hand to attract the Chair's attention. He / she will identify themselves, and direct their comments to the Chair of the meeting
- 3.10.3 A member of the public shall not normally speak for more than 10 minutes.
- 3.10.4 A question may not necessarily elicit a response at the meeting, nor start a debate on the question. The Chair of the meeting may direct that a written or other response be given.
- 3.10.5 Only one person is permitted to speak at a time. If more than one person wants to speak, the Chair of the meeting shall direct the order of speaking.
- 3.11 *Closed Meeting*
- 3.11.1 After the designated time for public participation has ended, the Chair will move to the closed part of the meeting. Members of the public may continue to observe, but may only speak at the discretion of the Chair of the meeting.
- 3.11.2 The agenda will always include an item to enable councillors to declare interests.
- 3.11.3 The council may only take substantive decisions on items specified on the agenda. However the council may also, at the discretion of the Chair, discuss and decide upon items which are not specifically on the agenda, but are either:
- Urgent, and where a decision is needed before the next meeting, or
  - Of a minor and uncontroversial nature, and where holding over to the next meeting is considered by the Chair to be unnecessary.

- 3.11.4 The Chair of the Council will preside at the meeting and will be responsible for the conduct of that meeting. If the Chair is not present then the Vice Chair will preside. If neither is 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 Chair for the meeting.
- 3.11.5 The quorum for the council will be one third of the total councillor places. If there be insufficient members present then no business will be transacted and a fresh notice will be issued to reconvene the meeting at a later date.
- 3.11.6 If at any time during the meeting it ceases to be quorate then the meeting will be adjourned and any remaining business carried forward to the meeting when next convened.
- 3.11.7 All attendees at a meeting shall behave with respect towards each other, and not obstruct the transaction of business of the meeting. Any person behaving in a disorderly manner will be asked by the Chair to moderate or improve their conduct. Any person ignoring such a request may be excluded from the meeting.
- 3.11.8 Items on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairman of the meeting. All motions need both a proposer and a seconder. During the course of debate amendments to a motion may be proposed. Before an original or amended motion is put to the vote, the chairman of the meeting shall be satisfied that the motion has been sufficiently debated.
- 3.11.9 Voting at the meeting shall be by a show of hands unless a majority of councillors want a ballot. 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.
- 3.11.10 In cases of equal votes the Chair (or other person presiding) will have a second or casting vote, whether or not they gave an original vote.
- 3.12 *Minutes*
- A minute of the meeting will be kept by the Clerk or other nominated person in the Clerk's absence. The minutes will record any decisions made by the council. Draft minutes will be circulated to councillors as soon as practicable, at the latest within three weeks after the meeting. Councillors will supply any suggested amendments after which and within one month the amended unapproved draft minutes will be made available to the public. The minutes will then be approved at the following meeting and signed by the person presiding at that meeting.

## **4 Emergency Business**

- 4.1 Should it not be appropriate to convene an extraordinary meeting then any emergency business will be handled by a designated councillor or the clerk. The scope of the delegated authority should be minuted. Actions will be reported promptly to the Council.

## **5 Freedom of Information**

- 5.1 The Council is subject to the Freedom of Information Act. The Clerk will ensure the Council conforms to the requirements of the Act allowing public access to the appropriate documents. The Council should periodically review the procedure and scheme.

## **6 Clerk to the Council**

- 6.1 The Council may appoint a number of employees to assist it in the performance of its duties. The Council will appoint a Clerk to the Council which will be on an employed basis, unless the Clerk is a member of the Council, acting in an unpaid capacity.
- 6.2 The Clerk will act as the Proper Officer of the Council, and he/she will receive the Declarations of Acceptance of Office and notices disclosing interests; sign documents on behalf of the Council and issue summons agendas and notices of meetings; receive and distribute plans and documents on behalf of the Council; and also advise the bank of changes to mandates with the bank.
- 6.3 As an employee of the Council, the Clerk is covered by employment legislation that deals with employment rights, discrimination in employment, unfair dismissal, redundancy and similar matters. The Clerk will therefore have a contract of employment stating the terms and conditions under which he/she is employed. This will effectively be administered by the Chair, or a designated Councillor acting with the authority of the Council. The Council must also have a Discipline and Grievance procedure in place.

## **7 Committees and Advisory groups**

- 7.1 The Council may, from time to time, set up committees and advisory groups. Committees undertake work on behalf of the Council, and may have delegated powers of authority. Advisory groups consider and debate issues, but having no delegated powers, make recommendations to the Council. In both cases the Council will agree their Terms of Reference, and they will report periodically to the Council.
- 7.2 Committees and advisory groups may include non-councillors provided that they do not have powers to control or regulate finance.

## **8 Alteration or Reversal of previous decisions**

- 8.1 Decisions of the Council will not be reversed within 6 months, except where a special item is placed on the agenda bearing the name of three Councillors, and is considered and approved by the Council.

## **9 Standing Orders**

- 9.1 These and any other standing orders will be reviewed annually by the Clerk and the Chair, and any amendments will be decided by the Council.
- 9.2 During the course of meetings of the Council, the Chair'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 Wiltshire Association of Local Councils.
- 9.3 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.

Standing Orders were reviewed and approved by Holt Parish Council on 23 January 2020.