

# TURVILLE PARISH COUNCIL

## STANDING ORDERS

as approved at the council meeting held on 9 March 2016

For the purposes of this document, council means Turville Parish Council and 'chairman' means chairman of the council.

### 1. Annual Council 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 the council shall be held on such day and time in May as the council may direct.
- c) At the annual council meeting, the council shall conduct the following business:
  - i. To elect the chairman and vice-chairman and to sign and receive the chairman's declaration of acceptance;
  - ii. To appoint committees, advisory groups and working parties;
  - iii. To appoint representatives to other bodies;
  - iv. To consider whether to comment on planning applications and, if so, whether, when the deadline requires, such comments may be agreed and made between ordinary council meetings; and
  - v. To consider payments that may be made between ordinary council meetings

### 2. Ordinary Council Meetings

- a) The council shall hold at least three ordinary meetings in each year on such dates and times as the council directs. If no other time is fixed, the ordinary council meetings shall take place at 7.30pm.
- b) At ordinary meetings the council shall conduct the following business:
  - i. respond to questions raised by members of the public during any public participation sessions provided that such responses are based on decisions or resolutions which have been made at an earlier meeting or have been or will be made at the current meeting; and
  - ii. consider that business which is specified in the agenda circulated with the summons for the meeting under 7a) below.
- c) If a meeting appears likely to last more than two and a half hours the chairman shall put to the members whether they wish to continue or adjourn the meeting.

### 3. Extraordinary Council Meetings

- a) The chairman may convene an extraordinary meeting of the council at any time.
- b) Two councillors may request in writing to the chairman to convene an extraordinary meeting. If the chairman does not, or refuses to, call an extraordinary meeting of the council within 5 clear days of a receipt of the request in writing, those two councillors may convene an extraordinary meeting of the council. The summons to the meeting under 2a) for such a meeting must be signed by the two councillors.
- c) The parish clerk shall convene a meeting of the council for the election of a new chairman, occasioned by a casual vacancy in this office.

#### **4. Venues for Council Meetings**

- a) The council shall use its best endeavours to ensure that annual and ordinary meetings are held alternatively in Northend and Turville.
- b) Council 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. When it is necessary to hold a meeting in such premises, alcohol shall not be supplied, taken into, or consumed in the meeting room during the meeting.

#### **5. Chairman and vice-chairman**

- a) The current chairman, unless he or she has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until a new chairman has been elected. The current chairman may exercise an original vote in respect of the election of the new chairman and must give a casting vote in the case of an equality of votes.
- b) In an election year, if the current chairman has not been re-elected as a member of the council, he shall preside at the annual meeting until a new chairman has been elected. The current chairman 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.
- c) The current vice-chairman of the council, unless he or she has resigned or becomes disqualified, shall hold office until immediately after the election of the chairman at the next annual meeting of the council.
- d) The chairman, if present, shall preside at an ordinary or extraordinary 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, the councillors present at the meeting shall choose one of their number to preside at the meeting.
- e) The person presiding at a meeting shall exercise all powers and duties of the chairman in relation to the conduct of the meeting.

#### **6. Quorum at Council Meetings**

- a) No business may be transacted at a council meeting unless three members of the Council are present.

#### **7. Summons for Council Meetings**

- a) At least three clear days before a meeting of the council, a summons to attend the meeting, the agenda specifying the business proposed to be transacted at the meeting, and the associated agenda papers shall be sent by the parish clerk to every member of the council.
- b) The summons to attend the meeting, the agenda and the agenda papers shall be sent to every member of the council in electronic form. If a member does not give consent to receive the summons, agenda and agenda papers in electronic form, the parish clerk shall send the summons, agenda and agenda papers to that member by post to the member's usual place of residence or delivered by in such other cost-effective means.

- c) The summons to attend the meeting shall be authenticated by the parish clerk in such manner as the parish clerk thinks fit.
- d) At least three clear days before a meeting of the council, a notice of the time and place of the meeting and the agenda and associated agenda papers for the meeting shall be placed on the parish council's website. A message about the notice of the meeting and the availability of the agenda and agenda papers should be sent at the same time to subscribers to turville.net.
- e) At the beginning of each year, a notice of the time and, place of the proposed dates and venues of annual and ordinary meetings of the council shall be placed on the parish notice boards in Northend, Southend, Turville and Turville Heath. The notice shall indicate how and when the agenda and agenda papers for each meeting may be obtained.

#### **8. Agenda of Council Meetings**

- a) The agenda of annual, ordinary and extraordinary meetings of the council shall specify the issues to be discussed at the meeting. Each agenda item should make it clear what councillors are expected to do and be precise about the subject under discussion and the decisions that need to be taken. Vague agenda items that don't specify exact business (such as matters arising, correspondence, reports and any other business) should be avoided, because the council cannot make unexpected decisions.
- b) The parish clerk should put together the agenda taking into account the views of all councillors and the issues which are likely to require decisions at the meeting. The agenda should be approved by the chairman prior to its distribution.
- c) The agenda should be supported by agenda papers which provide councillors with the information they need to consider, and make decisions on, the agenda items. The agenda papers may be distributed with the agenda or separately in advance of the distribution of the agenda.
- d) Topics requiring a decision cannot be added to the agenda after the three clear days deadline in 7a) above has passed, in particular they cannot be added at the meeting itself. It is unlawful for the council to make a decision, especially a decision to spend money, without sufficient (three clear days) warning. However, the council may decide to approve single payments not exceeding £100 which were not included on the agenda but which are consistent with the council's budget.

#### **9. Code of Conduct**

- a) All councillors shall observe the code of conduct adopted by the council.
- b) A councillor who is present at a meeting shall make an oral declaration of the existence and nature of any disclosable pecuniary interest as set out in clause 3 of the council's code of conduct when an item of business which affects or relates to the subject matter of that interest is under consideration at that meeting. The oral declaration shall be made at or before the consideration of the item of business or as soon as the interest becomes apparent. A councillor who has disclosed such a disclosable pecuniary interest shall not participate in any discussion on the item of business nor vote on that item.

- c) A councillor may request a dispensation from the requirement not to participate in any discussion on an item of business nor vote on that item when that item of business which affects or relates to the subject matter of a disclosable pecuniary interest of the councillor. The dispensation request shall be made in writing and submitted to the parish clerk at or prior to the meeting.
- d) A dispensation may be granted by the council if having regard to all relevant circumstances:
  - i. without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business or
  - ii. granting the dispensation is in the interests of persons living in the council's area or
  - iii. It is otherwise appropriate to grant a dispensation
- e) A councillor who is present at a meeting shall make an oral declaration of the existence and nature of other interests as set out in clause 4 of the council's code of conduct when an item of business which affects or relates to the subject matter of that interest is under consideration at that meeting. The oral declaration shall be made at or before the consideration of the item of business or as soon as the interest becomes apparent. A councillor who discloses such an interest shall indicate orally whether he or she intends to participate in any discussion on the item of business and vote on that item and shall act in accordance with that intention.
- f) Upon notification by Wycombe district council that a councillor has breached the council's code of conduct, the council shall consider what, if any, action to take against that councillor. Such action excludes disqualification or suspension from office.
- g) If it comes to the knowledge of the parish clerk that a contract in which the parish clerk has any pecuniary interest, whether direct or indirect (not being a contract to which the parish clerk is a party), has been, or is proposed to be, entered into by the council, the parish clerk shall as soon as practicable give notice in writing to the council of the fact that he or she is interested therein. The parish clerk shall make an oral declaration of the existence and nature of such a pecuniary interest at any meeting when an item of business which affects or relates to the subject matter of that interest is under consideration at that meeting.
- h) For the purposes of g), the parish clerk shall be treated as having a pecuniary interest in a contract or proposed contract if he or she would have been so treated by virtue of the council's code of conduct if he or she had been a councillor.

#### **10. Debates at Council Meetings**

- a) At the discretion of the chairman, the rules of debate in appendix 1 shall be applied to decisions on any question.

#### **11. Voting at Council Meetings**

- a) Subject to standing order 11(b) below, all questions at a meeting shall be decided by a majority of the councillors present and voting thereon.

- b) 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 the casting vote whether or not an original vote was given.
- c) Members shall vote by a show of hands or by a ballot, by resolution of the council.
- d) 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 or her vote for or against the question. Such a request must be made before moving to the next item of business.

## **12. Rescission of Previous Resolutions**

- a) The council shall not reverse a resolution (whether affirmative or negative) of the council within 6 months except either by a special motion, the written notice whereof bears the names of at least 3 members of the council, or by a motion moved in pursuance of the report or recommendation of a committee.

## **13. Attendance of Public and the Press at Council Meetings**

- a) Meetings shall be open to the public and the press 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 exclusion of the public and the press from any agenda item of a meeting shall be approved by a resolution of the council which shall give reasons for the public's exclusion for that agenda item.
- b) Unless the public has been excluded from the meeting in accordance with a) above:
  - i. members of the public may be permitted by the chairman to make representations, answer questions and give evidence in respect of any item of council business either during a period designated for public participation or at such other times as the chairman may permit;
  - ii. the period of time for public representations and participation shall not exceed 15 minutes unless the chairman permits a longer period;
  - iii. the length of time permitted for public representations and participation by each member of the public is may be limited at the chairman's discretion.
  - iv. the council is not obliged to answer or debate a question asked by a member of the public during a public participation session;
- c) The council shall provide the press reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present but such facilities shall not include the provision of wi-fi or a telephone line.
- d) A person present at a meeting of the council shall not make an oral report or oral commentary on the meeting as it takes place.
- e) Any person present at a meeting may:
  - i. film, photograph or make audio recordings of the meeting from a fixed location in the public area;
  - ii. subject to d) above, use any other means of enabling persons not present to see or hear proceedings at a meeting as it takes place or later;
  - iii. report or comment on the proceedings in writing during or after the meeting or orally report or comment after a meeting.
- f) Those wishing to film, photograph or make audio recordings of a meeting should contact the council before the meeting in order to agree the necessary arrangements and any conditions that would apply. A request to film, photograph or

record a meeting, or to continue with such actions, shall be refused or withdrawn only if the chairman believes such actions would disrupt or are disrupting, the meeting

#### **14. Disorderly Conduct**

- a) If, in the opinion of the chairman, any person has obstructed the transaction of business at a meeting or behaved offensively or improperly, the chairman shall express that opinion and thereafter any councillor (including the chairman) may move that the person be silenced or excluded from the meeting, and the motion, if seconded, shall be put immediately and without discussion.

#### **15. Minutes of meetings**

- a) The minutes of annual, ordinary and extraordinary meetings of the council shall be drawn up and recorded on loose leaves consecutively numbered.
- b) The minutes shall record of the following:
  - i. the names of the councillors present and absent;
  - ii. apologies for absences from councillors and the reasons for those absences;
  - iii. interests that have been declared by councillors and the parish clerk;
  - iv. whether a councillor left the meeting when matters that they held disclosable pecuniary interests in were being considered;
  - v. whether a councillor left the meeting when matters that they held other interests in were being considered;
  - vi. the questions raised by members of the public during any public participation session together with the council's responses, if any, to those questions.
- c) The minutes shall record the decisions or resolutions that have been made by the council.
- d) The minutes shall record the votes on all decisions or resolutions, including proposed amendments to resolutions. When required by 11d), the minutes shall record the votes of each councillor voting on a resolution.
- e) The minutes shall include sufficient background information necessary to enable the decisions and resolutions to be understood. Such information may include references to agenda papers and other documents that are publicly available.
- f) Not later than one month after the meeting, the draft minutes, after review by the chairman, shall be sent to councillors and shall be published on the council's website.
- g) The accuracy of the draft minutes of a meeting, including any amendment(s) made to them, shall be confirmed by resolution at the next ordinary meeting of the council and shall be signed by the chairman of that meeting and stand as an accurate record of the meeting to which the minutes relate.

#### **16. Execution and Sealing of Legal Deeds**

- a) Any two members of the council, may sign, on behalf of the council, a legal deed approved by the council. The parish clerk shall witness their signatures.

#### **17. Committees**

- a) The council may appoint committees as may be necessary, and:

- i. shall determine their terms of reference;
- ii. may permit committees to determine the dates of their meetings;
- iii. shall appoint the councillor or non-councillor members of such a committee (unless the appointment of non-councillors is prohibited by law) and the term of office of those members; and
- iv. may dissolve a committee at any time.

#### **18. Advisory Groups**

- a) The council may appoint an group to act in an advisory capacity to the council for a particular item. The members of an advisory group may include councillors and non-councillors and may consist solely of non-councillors.

#### **19. Parish Clerk**

- a) The council may employ a parish clerk under the provisions of the section 112 (1) and (2) of the Local Government Act 1972 to assist the council in the proper discharge of its functions.
- b) The particulars of the clerk's terms and conditions of employment with the council, including the clerk's job description, shall be approved by the council and shall be set out in writing and signed by the chairman on behalf of the council and the person appointed as the parish clerk.
- c) The council should keep the parish clerk's job description under review and may, from time to time, amend the job description or request the parish clerk to undertake additional or other duties as necessary to assist the council in the proper discharge of its duties.
- d) The parish clerk is the council's responsible financial officer as defined in section 151 of the Local Government Act 1972 for such purposes as the council may from time to time decide and including, but not limited to, the following purposes:
  - i. the receipt of declarations of acceptance of office by councillors and the chairman;
  - ii. the receipt and recording of notices disclosing interests at meetings;
  - iii. the receipt of bylaws made by another local authority;
  - iv. the authentication of the summons to attend meetings of the council;
  - v. the calling of a meeting of the council for the election of a new chairman because of a casual vacancy in that office.

#### **20. Accounts, Financial Statements, Financial Controls and Procurement**

- a) Expenditure shall be incurred by the council only in accordance with the council's financial regulations.
- b) Payments shall be made only if authorised by the council at an ordinary or extraordinary meeting.
- c) The council shall consider and approve financial regulations drawn up by the responsible financial officer and dealing with:
  - i. the keeping of accounting records and systems of internal controls;
  - ii. the payment of expenses and the receipt of income;
  - iii. the preparation of the council's financial statements and annual return;
  - iv. the supply of financial information, including payments, receipts, budgets and forecasts, at ordinary and extraordinary meetings of the council;
  - v. the preparation of the council's budget
  - vi. the agreement of the council's precept;

- vii. the assessment and management of financial risks faced by the council;
- viii. the work of the independent internal auditor and the receipt of regular reports from the internal auditor;
- ix. the inspection by councillors and local electors of the council's accounts; and
- x. the procedures for the procurement of goods and services including the use of different procedures for goods and services with different values.

**21. Confidential or Sensitive Information**

- a) The agenda, agenda papers and the minutes of a meeting shall not disclose or otherwise undermine confidential or sensitive information which for special reasons would not be in the public interest.
- b) Councillors and the parish clerk shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.

**22. Freedom of Information Act 2000**

- a) All requests for information held by the Council shall be processed in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000.

**23. Variation, Revocation and Suspension of Standing Orders**

- a) Any or every part of the standing orders, except those which are mandatory by law, may be suspended by resolution of the council in relation to any specific item of business.
- b) A proposal to add to or to vary or to revoke one or more of the council's standing orders, except one that incorporates mandatory statutory requirements shall be considered by the council at an ordinary meeting.

**24. Interpretation of Standing Orders**

- a) The chairman's decision as to the application of standing orders at meetings shall be final.



## Appendix 1: Rules of Debate

- a) Motions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the chairman's direction for reasons of expedience.
- b) A motion shall not be considered unless it has been proposed and seconded.
- c) A motion to amend an original or substantive motion shall not be considered unless proper notice has been given after the original or substantive motion has been seconded and notice of such amendment, shall, if required by the chairman, be reduced to writing and handed to the chairman who shall determine the order in which they are considered.
- d) A councillor may move amendments to his or her own motion. If a motion has already been seconded, an amendment to it shall be with the consent of the seconder.
- e) Any amendment to a motion shall be either:
  - i) to leave out words;
  - ii) to add words;
  - iii) to leave out words and add other words.
- f) A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration.
- g) Only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairman. No further amendment to a motion shall be moved until the previous amendment has been disposed of.
- h) Subject to (g) above, one or more amendments may be discussed together if the chairman considers this expedient but shall be voted upon separately.
- i) Pursuant to (g) above, the number of amendments to an original or substantive motion, which may be moved by a councillor, is limited to one.
- j) If an amendment is not carried, other amendments shall be moved in the order directed by the chairman.
- k) If an amendment is carried, the original motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.
- l) The mover of a motion or the mover of an amendment shall have a right of reply.
- m) Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply in respect of the substantive motion at the very end of debate and immediately before it is put to the vote.
- n) During the debate of a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he considers has been breached or specify the irregularity in the meeting he is concerned by.
- o) A point of order shall be decided by the chairman and his decision shall be final.
- p) With the consent of the seconder and/or of the meeting, a motion or amendment may be withdrawn by the proposer. A councillor shall not speak upon the said motion or amendment unless permission for the withdrawal of the motion or amendment has been refused.
- q) When a councillor's motion is under debate no other motion shall be moved except:
  - i) to amend the motion;
  - ii) to proceed to the next business;

- iii) to adjourn the debate;
  - iv) to put the motion to a vote;
  - v) to ask a person to be silent or for him to leave the meeting;
  - vi) to refer a motion to a committee or sub-committee for consideration;
  - vii) to exclude the public and press;
  - viii) to adjourn the meeting;
  - ix) to suspend any standing order, except those which are mandatory.
- r) In respect of q)(iv) above, the chairman shall first be satisfied that the motion has been sufficiently debated before it is put to the vote. The chairman shall call upon the mover of the motion under debate to exercise or waive his right of reply and shall put the motion to the vote after that right has been exercised or waived. The adjournment of a debate or of the meeting shall not prejudice the mover's right of reply at the resumption.