

# Hawkley Parish Council

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## Standing Orders for 2024/25

### **Introduction**

The following Standing Orders are intended to facilitate the efficient and expeditious conduct and management of the Council's business. Nothing contained in these Standing Orders supersedes, removes, replaces or reduces any powers, duties, responsibilities and obligations laid down in the several Acts of Parliament and/or Government Orders and Regulations concerning Local Councils.

### **Meetings**

1. Meetings of the Council shall be held at intervals and on days and times as decided by the Council.
2. The Statutory Annual Meeting of the Council shall be held in the month of May but in an election year shall be held within fourteen days of the date that the new Council takes office.
3. The Annual Parish Assembly/Meeting shall be held between 1 March and 1 June inclusive on a day and at a time (but not earlier than 6pm) determined by the Council.
4. The Chair may call an extraordinary meeting of the Council or a Parish Meeting at any time. In addition, if four members sign a requisition that the Council be convened and the Chair does not do so for seven days any four members may convene.

### **Chair**

5. The Chair if present shall preside at the meeting or in his/her absence the Vice-Chair shall preside.
6. In the absence of both the Chair and the Vice-Chair, the first business of the meeting shall be to appoint a Chair for the meeting and the person so presiding may exercise all the powers and duties of the Chair in relation to the conduct of the meeting.

### **Quorum**

7. Three members of the Council shall form a quorum.
8. If a quorum of members of the Council is not present when the meeting convenes or if during a meeting the number of members present falls below the quorum all business not transacted at that meeting shall be carried forward to the next meeting of the Council to be convened on such a day as the Chair may designate.

### **Order of Business**

9. At each Annual Meeting of the Council and after receiving apologies for absence, the first business shall be:
  - (a) to elect a Chair and to receive his/her declaration of acceptance of office
  - (b) to elect a Vice-Chair
  - (c) to appoint working groups, committees and advisory panels and similar bodies

- (d) to appoint representatives to other bodies.
10. After the first business has been completed at the Annual Meeting and after receiving any apologies for absence at other meetings unless the Council so decides for good reason the Council shall:
- (a) Receive declarations of interest(s), outlining the precise nature of the declared interest(s), relating to item(s) outlined on the Agenda of the Meeting;
  - (b) Provide a Public Participation Session to take place during the meeting;
  - (c) After the close of the Public Participation Session, when the Council reaches any item of business which Councillors have a prejudicial interest in, those Councillors must leave the room whenever it becomes apparent that the business is being considered at that meeting.
  - (d) The Council shall consider and approve the signing of the minutes and receive reports of matters arising from those minutes. No discussion shall take place on the minutes except upon their accuracy.

### **Agenda**

11. Any member who wishes to request that an item of business be included in the agenda for a meeting of the Council shall do so to the Clerk not later than ten days before the date of the meeting.

### **Conduct of Business**

12. All business and discussion at meetings shall be conducted through the Chair

### **Decisions**

13. Every matter requiring decision shall be decided by a majority of those present and voting.

### **Voting**

14. Voting shall be by a show of hands unless and exceptionally a majority of members request a ballot.
15. If any member so requests, the Clerk shall record the name of the member so as to show whether the member voted for or against the question.
16. The Chair or person presiding at the meeting may give a first vote and in the case of an equality of votes may give a second or casting vote even though he/she gave no first vote.
17. Where more than two persons have been nominated for any position to be filled by the Council and of the votes given there is not an absolute majority in favour of one person the name of the person having the least number of votes shall be struck off the list and a fresh vote taken and so on until a majority of votes is given in favour of one person.

### **Rescission of Previous Decision**

18. (a) A decision (whether affirmative or negative) of the Council shall not be reversed within six months except either by a special resolution the written notice whereof bears the names of at least four members of the Council or by a resolution moved in pursuance of a report or recommendation of a committee or advisory panel.
- (b) When a special resolution has been disposed of no similar resolution may be moved within a further

six months.

### **Disorderly Conduct**

19. (a) No member shall at a meeting persistently disregard the ruling of the Chair of the meeting, wilfully obstruct business, or behave irregularly, offensively, improperly or in such a manner as to breach the adopted code of conduct.

(b) If in the opinion of the Chair a member has broken the provisions of paragraph (a) of this Order the Chair shall express that opinion to the Council and thereafter any member may move that the member named be no longer heard or that the member named do leave the meeting and the motion if seconded shall be put forthwith and without discussion.

(c) If either of the motions mentioned in paragraph (b) is disobeyed the Chair may suspend the meeting or take such further steps as may be reasonably necessary to enforce them.

### **Matters Affecting Employees of the Council**

20. If at a meeting there arises any matter 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 public should be excluded.

### **Committees, Working Groups and Advisory Panels**

21. (a) The Council may at the Annual Meeting and at any other time and subject to any statutory provision appoint such committees, working groups and advisory panels as are necessary.

(b) Subject to the provisions of Order 18 the Council may dissolve or alter the membership of a committee, working group or advisory panel.

(c) The Chair and Vice-chair shall be ex officio members of every committee, working group and advisory panel.

(d) The Planning Advisory Working Group will consist of at least three members of the Parish Council. When it is necessary to hold a planning meeting and one of those three members is unable to attend, then any alternative member of the parish council may attend as a voting substitute member in his/her place.

(e) In limited circumstances and where the Chair of the Planning Advisory Working Group and the Clerk in consultation with the Chair of the Parish Council agree that it is not necessary to call a meeting of the Planning Advisory Working Group, the Clerk may be delegated to submit a comment of 'no objection' via the planning portal.

### **Code of Conduct**

22. All members are required to conduct themselves according to the adopted code of conduct.

### **Unauthorised Activities**

23. Unless authorised to do so by the Council, no member of the Council shall in the name of the Council or

on behalf of the Council:

- a. Inspect any lands or premises which the Council has a right or duty to inspect;
- b. Issue orders;
- c. Make any commitment or contract or
- d. Undertake any other activity

#### **Inspection of Documents**

24. (a) All minutes kept by the Council shall be open for inspection of any member of the Council

(b) Electors of the parish may by appointment inspect minutes kept by the Council and may copy or make extracts from them.

#### **Admission of the Public and Press to Meetings**

25. The public shall be admitted to all meetings of the Council which may however temporarily exclude the public by means of an appropriate resolution.

26. The Clerk shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present

27. If a member of the public interrupts the proceedings at any meeting the Chair may after warning order that he/she be removed from the meeting.

#### **Public Participation at Meetings**

28. The Council may make appropriate arrangements for electors of the parish to ask questions of or make representations to the Council. Normally this will be before the start of a meeting where electors of the parish may speak on any matter for not more than two minutes. The Chair may at his/her discretion allow further time.

#### **Complaints**

29. The Council shall deal with complaints of maladministration allegedly committed by the Council or by any Officer, or by a Member, in the manner recommended by The National Association of Local Councils in its Circular No. 2/86.

#### **Proper Officer and Responsible Finance Officer**

30. The Clerk to the Council shall be the Council's Proper Officer and Responsible Finance Officer (RFO) and shall carry out any function or duty conferred on the Proper Officer by statute, regulation or order.

31. The Clerk shall issue statutory notices and summonses of meetings in accordance with statutory provisions.

#### **Financial Management**

32. The Council shall make appropriate orders for the conduct and management of its financial affairs and for the supervision and audit of accounts.

### **Variation Revocation and Suspension of Standing Orders**

33. Any or every part of these Standing Orders except those concerning matters laid down in Acts of Parliament and which are therefore compulsory may be suspended by resolution in relation to any specific item of business.
34. A resolution permanently to add, vary or revoke a Standing Order shall when proposed and seconded stand adjourned without discussion to the next ordinary meeting of the Council.

### **Standing Orders to be Given to Members**

35. A copy of these Standing Orders shall be given to each member by the Clerk upon delivery to him/her of the member's declaration of acceptance of office.

Standing Orders adopted at meeting of 22<sup>nd</sup> May 2024

Due for review May 2025