

**BROAD HINTON AND WINTERBOURNE BASSETT  
PARISH COUNCIL**

**STANDING ORDERS**

**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 a Proper Officer 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 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. A Councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's Code of Conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.

1.5. On receipt of a written application from a Councillor, the Council may make 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.

1.6. A dispensation may be granted in accordance with standing order 1.5 above if having regard to all relevant circumstances the following applies: 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.

1.7. Each Councillor is granted a dispensation to speak and vote on matters regarding:

- i. Setting of the precept.
- ii. Setting the Travel and Expenses policy and allowances
- iii. Setting the Indemnity for Councillors under Council insurance arrangements;

1.8. Unless authorised by a resolution, no Councillor shall issue orders, instructions or directions

1.9. For minor matters that do not have financial or contractual implications, resolutions may be sought by email. If there are significant questions or objections to the email resolution then the matter should be referred to the next Council meeting.

**2. Confidential or Sensitive Information**

2.1. The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.

2.2. Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification nor shall they process such information for a purpose different from that for which was originally collected.

### **3. Annual Meetings**

3.1. 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.

3.2. 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.

3.3. The retiring Chairman may report on the activities of the Council for the preceding year.

3.4. In addition to the business in 3.2 and 3.3 above, the business and requirements for an annual meeting will be subject to the same provisions as are specified for Council meetings in section 4, below.

### **4. Meetings**

4.1. Meetings will be held in the Broad Hinton Village Hall or other such place as permitted by regulation.

4.2. An agreed frequency of meetings will be decided at the Annual Meeting and Councillors will be advised of the meetings by the issue of a summons and agenda delivered by email, post or by hand. The agenda must be issued at least three Clear Days before the meeting. The requirement for issue of the summons and agenda also applies to additional ordinary meetings or extraordinary meeting should they be required.

4.3. Public notices will be posted in conspicuous places 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 Days before the meeting.

4.4. Meetings will be open to the public and 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 press from part or all of a meeting shall be by resolution which shall give reasons for the exclusion.

4.5. Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is permitted without the Council's consent, provided that this is carried out in accordance with government guidance (Department for Communities and Local Government, Open and accountable local government. A guide for the press and public on attending and reporting meetings of local government August 2014). Any recording must cease if the Council resolves to move into confidential session as per the Public Bodies (Admission to Meetings) Act 1960.

4.6. An opportunity for members of the public to make representations, ask questions or give evidence at a meeting which they are entitled to attend may be made available. The session shall not exceed 10 minutes with individual contribution of up to a maximum 3 minutes, unless directed otherwise by the Chairman.

4.7. Members of the public may only speak at Council meetings at the discretion of the Chairman of the meeting.

4.8. A person who speaks at a meeting shall direct his comments to the chairman of the meeting.

4.9. Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.

4.10. The agenda for the meeting will be agreed by the Clerk and Chairman and/or Vice Chairman if the Chairman is not available. The agenda will always include an item to enable Councillors to declare interests.

4.11. A motion or proposal shall relate to the responsibilities of the meeting. Members must give written notice of its wording to the Proper Officer at least five

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Clear Days before the meeting. Motions or proposals received by the Proper Officer will be put on the next available agenda. If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chairman of the forthcoming meeting.

4.12. 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.

4.13. The Chairman of the Council will preside at the meeting and will be responsible for the conduct of that 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.

4.14. The quorum for the Council will be one third of the total Councillor places but in any case not fewer than three (3) members. 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.

4.15. If at any time during the holding of a remote meeting it ceases to be quorate as a result of technical difficulties e.g. a connection loss, discussion will be suspended and a period of 10 minutes allowed for reconnection to become quorate. If reconnection of a remote meeting is not established within 10 minutes or if at any other time during the meeting it ceases to be quorate then the meeting will be adjourned and any further business carried forward to the meeting when next convened.

4.16. A meeting shall not normally exceed a period of three hours. After a period of 2 hours and 30 minutes has elapsed any councillor can require the Chairman to adjourn the meeting after 3 hours and conclusion of the agenda item then under discussion.

4.17. Voting at the meeting shall be by a show of hands, voice vote, general consent, roll call unless, prior to the vote, a majority of Councillors request that the vote shall be by a signed ballot. Any Councillor or officer may seek clarification, other than in a signed ballot, on how each person has voted. 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, other than in the case of a signed ballot, 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.

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

4.19. 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. Provisional draft minutes will be circulated to Councillors as soon as practicable, at the latest within two weeks after the meeting. Councillors may suggest amendments for the Clerk's consideration, after which the finalised draft minutes will be recirculated to Councillors and made available to the public.

4.20. The draft minutes will then be presented at the next meeting for approval. If the unapproved draft minutes have been circulated to councillors, they shall be taken as read. There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes may be moved without written notice to the Proper Officer. If the inaccuracy in the minutes relates to a difficult or complicated item the meeting will be adjourned to enable the clerk to draw up a corrected minute.

4.21. The accuracy of the draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.

4.22. If the Chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a

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paragraph on the following terms or to the same effect: "The chairman of this meeting does not believe that the minutes of the meeting of the [body] held on [date] in respect of ( ) were a correct record but his view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings"

4.23. The days which are disregarded in calculating clear Days are the day of the notice, the day of the meeting, Sunday, bank holidays and any day appointed for public thanksgiving or mourning.

### **5. Emergency Business**

5.1. Should it not be appropriate to convene an additional ordinary meeting of the Council then any emergency business will be handled by a designated person usually the Clerk in consultation with the Chairman or Vice Chairman if the Chairman is not available. The scope of the delegated authority should be minuted and periodically reviewed. Actions will be reported promptly to the Council.

### **6. Extraordinary Meetings**

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

6.2. If the Chairman of the Council does not or refuses to 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 must be signed by the two councillors.

### **7. Disorderly Conduct at Meetings**

7.1. No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairman of the meeting shall request such person(s) to moderate or improve their conduct.

7.2. If person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.

7.3. If a resolution made under standing order 7.2 above is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

### **8. Voting on Appointments**

8.1. Where more than two persons have been nominated for a position to be filled by the council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the chairman of the meeting.

### **9. Finance & Insurance**

9.1. The Council's financial affairs as regards:

9.1.1. Accounting and Audit

9.1.2. Banking Arrangements and Cheques

9.1.3. Contracts and Purchase Orders

9.1.4. Insurance

shall be conducted in accordance with the Broad Hinton and Winterbourne Bassett Parish Council Financial Regulations.

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### **10. Risk Assessment**

10.1. A risk assessment will be undertaken at least once every three years of all the activities of the Council and a report approved by the Council. This assessment will also cover the appropriateness of the internal audit arrangements. The Risk Assessment will be reviewed and recorded in the minutes of the Council meeting.

10.2. If the Council undertakes a new activity not covered by the existing risk assessment an assessment will be undertaken before the activity commences.

### **11. Information and Media**

11.1. In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.

11.2. The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.

11.3. The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period.

11.4. Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Chairman of the Council or in his absence the Vice Chairman who shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000.

11.5. Requests from the press or other media for an oral or written comment or statement from the Council, its councillors or staff shall be handled in accordance with the Council's policy in respect of dealing with the press and/or other media.

### **12. Proper Officers**

12.1. The Clerk and the RFO hold statutory roles. Statutory duties must be fulfilled by a Proper Officer(s) which is usually the Clerk or the RFO, but may be another staff member nominated by the Council to undertake that duty.

### **13. Clerk to the Council**

13.1. The Council may appoint a number of employees to assist it in the performance of its duties. The Council shall 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.

13.2. The Clerk will be responsible for managing other employees of the Council.

13.3. As an employee of the Council the Clerk is covered by employment legislation dealing 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. The Council must also have a Discipline and Grievance Procedure in place. The formal management of the clerk (eg appraisals, granting leave, recording sickness and absence etc.) is the responsibility of the Chairman and Vice Chairman. On a day to day basis the Clerk will work with the Chairman or designated Councillor acting with the authority of the Council on administrative matters.

### **14. Responsible Financial Officer**

14.1. The Council shall appoint an appropriately qualified person to undertake the work of the Responsible Financial Officer (RFO) as set out in law and the Council's Financial Regulations.

14.2. The Council shall also nominate a Councillor as the Financial lead.

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14.3. The Clerk undertakes the day to day account keeping, whilst the Financial Lead acts as overseer.

### **15. Alteration or Reversal of Previous Decisions**

15.1. Decisions of the Council will not be revised within 4 months, except where a special item is placed on the agenda bearing the name of two Councillors and is considered and approved by the Council.

### **16. Planning Applications**

16.1. Planning applications are dealt with by the Planning Committee and a summary of the applications handled are reported by the Planning Lead at the next scheduled meeting of the Council.

16.2. The Planning Committee will comprise at least 3 Councillors and will normally comprise 2 Councillors in the relevant village and be led by the Planning Lead. The membership of this committee will be decided by the Planning Lead for each application.

16.3. The quorum of the Planning Committee shall be 3 Councillors.

16.4. All Councillors shall follow the Planning Procedure.

16.5. The Planning Committee shall prepare representations to the Local Planning Authority on any application referred to the parish council and on any other planning matter that affects the parish.

16.6. These representations will be circulated to all Councillors by email and all councillors are invited to comment before they are submitted to the Local Planning Authority.

16.7. If the Planning Committee agrees with the proposed representation by any method the Planning Lead may respond accordingly to the consultation. If any Councillor has concerns about the proposed representation the Planning Lead may seek an extension of the deadline from the consulting body so the matter can be considered at the next scheduled meeting of the Council. If an extension is not possible the Planning Lead will try to convene a meeting of the designated Planning Committee. If this extraordinary meeting cannot be convened in time, the Planning lead may seek to obtain representations from any member of the council by any method in order to inform the response. Where the members of the Planning Committee are unable to attend a meeting before the next scheduled meeting, the council delegates authority to the Planning Lead to respond to the application on the council's behalf after seeking representations from all Councillors. The response will be reported to the next meeting of the Council.

16.7. With regard to planning applications - if a member has a personal interest (eg as a neighbour) that member may make a statement to the Parish Council meeting but then they must leave the meeting, unless a dispensation has been granted by the Council, while discussions take place. A member with a personal interest will not participate in the discussion even if a dispensation to remain has been granted. A member with a personal interest must not be on the Planning Committee for that application and may not comment on their proposed representation.

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

17.1. A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.

17.2. Subject to 17.1 above, any two Councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.

### **18. Standing Orders**

18.1. These Standing Orders will be reviewed at least once every three years by the Clerk and the Chairman, and any amendments will be decided by the Council.

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18.2. During the course of meetings of the Council, the Chairman's decision as to the interpretation of the Standing Orders will be final.

18.3. The Council may resolve to suspend a Standing Order, other than one that incorporates a mandatory statutory requirement, 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, will be time-limited and requires a majority of at least two thirds of members.

These Standing Orders, which update any earlier version, were adopted by Broad Hinton and Winterbourne Bassett Parish Council at a meeting held on 25<sup>th</sup> November 2020

Chairman:

Date: