

## **SUNNINGHILL & ASCOT PARISH COUNCIL**

### **STANDING ORDERS (reviewed May 2022)**

#### **MEETINGS**

1. Meetings of the Council and its Committees shall be held at 7pm unless the Council otherwise decides at a previous meeting.
2. The Statutory Annual Meeting (a) in an election year shall be held within 14 days following the day after elections to the Council and (b) in a year which is not an election year shall be held on a day in May.
3. Meetings shall be held (as notified in the Councils timetable) published yearly, distributed to members, interested bodies and local Notice Boards.

#### **CHAIRMAN OF MEETINGS**

4. The person presiding at the meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the Meeting.

#### **PROPER OFFICER**

5. When a statute, regulation or order confer functions or duties on the proper officer of the Council in the following cases, he/ she shall be the Clerk:-
  - (a) To receive declarations of acceptance of office.
  - (b) To receive the record notices disclosing pecuniary interests.
  - (c) To receive and retain plans and documents.
  - (d) To sign notices or other documents on behalf of the Council.
  - (e) To receive copies of byelaws made by the Borough Council.
  - (f) To certify copies of byelaws made by the Council.
  - (g) To sign summonses to attend meetings of the Council.
  - (h) To provide a minute book for recording the proceedings of meetings.

In any other case the proper officer shall be the person nominated by the Council and, in default of nomination, the Clerk.

#### **QUORUM**

6. One third of the Council as existing at the time, and one third of members of a Committee shall constitute a quorum.
7. If a quorum is not present when the Council meets or if during a meeting the number of Councillors present falls below the quorum, the business not transacted at that meeting shall be transacted at the next meeting or on such other days as the Chairman may fix.

## **VOTING**

8. Members shall vote by show of hands or, if at least two members so request, by signed ballot.
9. If a member so requires, the Clerk shall record the names of the members who voted on any question so as to show whether they voted for or against it.
10. (a) Subject to (b) below the Chairman may give an original vote on any matter put to the vote.  
(b) The Chairman may not give an original vote in the election of the Chairman on any occasion when he/she will themselves immediately after such election retire from the Council (except at the election after the Parish or community elections).  
(c) In any case of an equality of votes, the Chairman may give a casting vote.

## **ORDER OF BUSINESS**

11. At each Annual Meeting the first business shall be:
  - (a) To elect a Chairman.
  - (b) To receive the Chairman's declaration of acceptance of office or, if not then received, to decide when it shall be received.
  - (c) To elect a Vice-Chairman.
  - (d) To appoint representatives to outside bodies where required and invited.
  - (e) To appoint statutory or standing committee (Chairs and Vice-Chairs and acceptance).
  - (f) To inspect any deeds and trust instruments in the custody of the Council.
12. At every meeting other than the Annual Meeting the first business shall be to appoint a Chairman if the Chairman and Vice-Chairman be absent and to receive such declarations of the acceptance of office (if any as are required by law to be made, or if not then received to decide when they shall be received.)
13. After the first business has been completed the order of business, unless the Council otherwise decides on the ground of urgency, shall be as follows:-
  - (a) To read and consider the Minutes: provided that if a copy has been circulated to each member not later than the day of issue of the summons to attend the meeting, the Minutes may be taken as read.
  - (b) After consideration to approve the signature of the Minutes by the presiding Chairman as a correct record.
  - (c) To deal with business expressly required by statute to be done.
  - (d) To receive such communications as the presiding Chairman may wish to lay before the Council.
  - (e) To allow a period for public to address the Council.
  - (f) To answer questions.
  - (g) To dispose of business, if any, remaining from the last meeting.
  - (h) To receive and consider reports and minutes of committees and advisory committees.
  - (i) To receive and consider reports from officers of the Council.
  - (j) To authorise the sealing of documents.
  - (k) To consider motions or recommendations in the order in which they have been notified.
  - (l) Any other business specified in the summons.

14. A motion to vary the order of business on the grounds of urgency:-
- (a) may be proposed by the Chairman or by any member and, if proposed by the Chairman, may be put to the vote without being seconded; and
  - (b) shall be put to the vote without discussion.

### **RESOLUTIONS MOVED ON NOTICE**

15. Except as provided by these Standing Orders, no resolution may be moved unless the mover has given notice in writing of its terms and has delivered the notice to the Clerk at least 7 working days not later than Tuesday in the week before the next meeting of the Council.
16. The Clerk shall insert in the summons for every meeting all notices of motions or recommendations properly given in the order in which they have been received unless the member giving notice of the motion has stated in writing that he/she intends to move it at some later meeting or that he/she withdraws it.
17. If a resolution or recommendation specified in the summons be not moved it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.
18. If the subject matter of a resolution comes within the province of a committee of the Council it shall, upon being moved and seconded, stand referred without discussion to such committee or to such other committees as the Council may determine for report provided that the Chairman, if he/she considers it to be a matter for urgency, may allow it to be dealt with at the meeting at which it was moved.
19. Every resolution or recommendation shall be relevant to some question over which the Council has power or which affects its area.

### **RESOLUTIONS MOVED WITHOUT NOTICE**

20. Resolutions dealing with the following matters may be moved without notice:
- (a) To appoint a Chairman of the meeting.
  - (b) To correct the Minutes.
  - (c) To approve the Minutes.
  - (d) To alter the order of business.
  - (e) To close or adjourn the debate.
  - (f) To refer a matter to a committee.
  - (g) To appoint a committee or any members thereof.
  - (h) To appoint a report.
  - (i) To adopt a report.
  - (j) To authorise the sealing of documents.
  - (k) To amend a motion.
  - (l) To give leave to withdraw a motion or an amendment.
  - (m) To extend the time limit for speeches.
  - (n) To consider otherwise than in committee a question affecting an employee of the Council.

(The two following resolutions are governed by the Standing Orders on the Admission of public to meetings):

- (o) To exclude the press.
- (p) To exclude the public.

(The next resolution is governed by the Standing Orders on Disorderly Conduct):

- (q) To silence or eject from the meeting a member named for misconduct.

(The next resolution is governed by the Standing Order on members' interested in contracts and other members):

- (r) To invite a member having an interest in the subject matter under debate to remain.
- (s) To give the consent of the Council where such consent is required by these Standing Orders.
- (t) To suspend Standing Orders.

## **QUESTIONS**

- 21. A member may ask the Chairman any question concerning the business of the Council.
- 22. A member with or without notice may ask the Chairman of the Committee any question upon the proceedings of the committee then before the Council if the question is put before the Council's consideration of those proceedings is finished.

## **RULES OF DEBATE**

- 23. No discussion shall take place upon the Minutes except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chairman.
- 24. (a) A resolution or amendment shall not be discussed unless it has been proposed and seconded, and unless proper notice has already been given. If required by the Chairman It shall be produced in writing and handed to him/her before it is further discussed or put to the meeting.
- (b) A member shall direct their speech to the question under discussion or to a personal explanation or to a question of order.
- (c) An amendment shall be either
  - i. To leave out words.
  - ii. To leave out words and insert or add others.
  - iii. To insert or add words.
- (d) An amendment shall not have the effect of negating the motion before the Council.
- (e) If an amendment be carried, the resolution, as amended, shall take the place of the original resolution and shall become the resolution upon which any further amendment may be moved.
- (f) A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
- (g) The mover of a resolution or of an amendment shall have a right of reply.
- (h) A motion or amendment may be withdrawn by the proposer and no member may speak upon it after it is withdrawn.
- (i) When a resolution is under debate no other resolution shall be moved except the following:-
  - i. To amend the resolution.
  - ii. To proceed to the next business.
  - iii. To adjourn the debate.
  - iv. That the question be now put.

- v. That a member named be not further heard.
  - vi. That a member named do leave the meeting.
  - vii. That the resolution be referred to a committee.
  - viii. To exclude the public or the press or both.
  - ix. To adjourn the meeting.
25. (a) The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed.
- (b) Members shall address the Chairman.
- (c) Whenever the Chairman rises during the debate all other members shall be silent.

### **CLOSURE**

26. At the end of any speech a member may, without comment, move “that the question be now put,” “that the debate be now adjourned” or “that the Council should now adjourn.” If such a motion is seconded and if the Chairman is of the opinion that the question before the Council has been sufficiently debated (but not otherwise), he/she shall forthwith put the motion. If the Motion “that the question be now put” is carried, he/she shall call upon the mover to exercise or waive their right of reply and shall put the question immediately after that right has been exercised or waived. The adjournment of a debate or of the Council shall not prejudice the mover’s right of reply at the resumption.

### **DISORDERLY CONDUCT**

27. (a) No member shall misconduct himself at a meeting by persistently disregarding the ruling of the Chairman, by wilfully obstructing business, or by behaving irregularly, offensively, improperly or in such a manner as to scandalise the Council or bring it into contempt or ridicule.
- (b) If, in the opinion of the Chairman, a member has so misconducted themselves, the Chairman 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 Chairman may suspend the meeting or take such further steps as may reasonably be necessary to enforce them.
28. The mover of a resolution shall have a right to reply immediately before the resolution is put to the vote. If an amendment is proposed the mover of the amendment shall be entitled to a reply immediately before the amendment is put to the vote. A member exercising a right of reply shall not introduce a new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

### **ALTERATION OF RESOLUTION**

29. A member may, with the consent of his seconder, move amendments to his own resolution.

### **DECISION OF PREVIOUS RESOLUTION**

- 30.(a) A decision (whether affirmative or negative) of the Council shall not be reversed within six months save by a special resolution, the written notice whereof bears the names of at least eight members of the Council.
- (b) When a special resolution has been disposed of, no similar resolution may be moved within a further six months.
- (c) This Order shall not apply to rescinding resolutions moved in pursuance of the report or recommendation of a committee.

### **VOTING ON APPOINTMENTS**

31. 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.

### **DISCUSSION AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL**

32. If, at a meeting, there arises any question 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 has decided whether or not the public shall be excluded.

### **RESOLUTIONS ON EXPENDITURE**

33. Any motion which is moved otherwise than in pursuance of a recommendation of the Council or of another committee after recommendation by the Council and which if carried would, in the opinion of the Chairman, substantially increase the expenditure upon any service which is under the management of, or reduce the revenue at the disposal of any committee, or which would involve capital expenditure shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council, and any committee affected by it shall consider whether it desires to report thereon. The Council shall report on the financial aspect of the matter.

### **EXPENDITURE**

34. Orders/Cheques for the payment of money shall be authorised and signed by two Councillors. Expenditure must be within the budgeted area. The Council must be advised of, and approve, any adjustments to the budget.
35. If considered appropriate by the Council payment for supplies may be made by other payment methods, including payment by BACS and/or Debit Card.

### **SEALING OF DOCUMENTS**

36. A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution.
37. Any two members of the Council may seal on behalf of the Council any document required by law to be issued under seal.

## **COMMITTEES AND SUBCOMMITTEES**

38. The Council shall at the Meeting appoint standing committees and may at any other time appoint such other committees as are necessary, but subject to any statutory provision in that behalf:-
  - (a) shall not appoint any member of a committee so as to hold office later than the next Annual Meeting and;
  - (b) may at any time dissolve or alter the membership of a committee.
39. The Chairman shall be a member of every committee.
40. Every committee shall at its first meeting (if not already having done so at the Annual Meeting) before proceeding to any other business, elect a Chairman and a Vice-Chairman who shall hold office until the next Annual Meeting of the Council.
41. Every committee may appoint sub-committees for purposes to be specified by the committee.
42. The Chairman and Vice-Chairman of the committee shall be members of every sub-committee appointed by it unless they signify that they do not wish to serve.
43. The quorum of a sub-committee shall be one third of its members. The quorum of a committee shall be one third of its members.
44. The Standing Orders on rules of debate and the Standing Order on interests of members in contracts and other matters shall apply to committee and sub-committee meetings insofar as they are appropriate.

## **VOTING IN COMMITTEE**

45. Members of committees and sub-committees shall vote by show of hands.
46. Chairmen of committees and sub-committees shall have a second or casting vote.

## **PRESENCE OF NON-MEMBERS OF COMMITTEES AT COMMITTEE MEETINGS**

47. A member who has proposed a motion which has been referred to any committee of which he/she is not a member may explain his/her motion to the committee but shall not vote.
48. Members who wish to serve on a committee after that committee has been elected must be proposed and seconded to be co-opted onto that Committee.
49. Any council member shall, unless the Council otherwise orders, be entitled to be present as a spectator at the meetings of any committee or sub-committee of which he/she is not a member, but cannot vote.

## **ACCOUNTS AND FINANCIAL STATEMENT**

50. Payment of Accounts including Petty Cash spend shall be laid before the Council by presentation of a monthly payments list relevant to payments made.

51. All payments are authorised by two Parish Councillors.  
All supporting paperwork for payments shall be held by the Council for inspection by its Accountant and Auditors.
52. Emergency spend for repair/maintenance outside of an approved budgeted spend shall be approved by the Chairman, Vice Chairman or Chairman of Committee, and must be advised to full Council at its next meeting.
53. The Clerk shall supply to each member regularly a statement of receipts and payments to enable budget monitoring.
54. The assets register will be updated with the inclusion of items valued at over £100.

### **ESTIMATES**

55. Any committee desiring to incur expenditure to be defrayed out of the rates shall, not later than December, give the Clerk a written estimate of the expenditure recommended for the coming year, and such estimate shall be submitted to the Council at its meeting in January.

### **INTERESTS**

56. If any member has any pecuniary interest (direct or indirect) within the meaning of sections 94-95 of the Local Government Act 1972, in any contract, proposed contract or other matter or if he represents a body or organisation with a pecuniary interest, he/she shall, while it is under consideration by the Council, withdraw from the meeting unless the interest is trivial in the manner described in section 9(b) or:-
  - (a) The disability imposed upon him by those sections has been removed by the Unitary Authority; or
  - (b) The Council invite him/ her to remain or
  - (c) The contract, proposed contract or other matters under consideration are as part of a report of a committee and are not themselves the subject of debate.
57. It is statutorily required that Members of the Council must declare their interests when taking up the position of Councillor and that any alteration of those interests must be notified to the Clerk within 28 days of alteration of any interest. Such interests shall be recorded. The Clerk shall record particulars of any notice given by a member or any officer of the Council of a pecuniary interest in a contract, and the book shall be open during reasonable hours of the day for the inspection of any member.
58. If a candidate for any appointment under the Council is to his/her knowledge related to any member of or the holder of any office under the Council, he and the person to whom he is related shall disclose the relationship in writing to the Clerk. A candidate who fails to do so shall be disqualified for such appointment and, if appointed, may be dismissed without notice. The Clerk shall report to the Council or to the appropriate committee any such disclosures. Where relationship to a member is disclosed the Standing Orders on interests of members in contracts and other matters shall apply. The Clerk shall make known the purport of this Standing Order to every candidate.



### **CANVASSING OF AND RECOMMENDATIONS OF MEMBERS**

59. (a) Canvassing of members of any committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make known the purport of this sub-paragraph of this Standing Order to every candidate.
- (b) A member of the Council shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but, nevertheless, a member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
60. Standing Orders Nos. 57 and 58 shall apply to tenders as if the person making the tender were a candidate for appointment.

### **INSPECTION OF DOCUMENTS**

61. A member may for the purpose of his duty as such (but not otherwise) inspect any document in possession of the Council or a committee and, if copies are available shall, on request, be supplied for the like purpose with a copy. The Council will comply with the Local Government (Transparency Requirements (England) Regulations 2015.
62. (a) All Minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council.
- (b) The minutes of the Council shall be open to inspection by any local government elector of the Parish without charge (except where content is confidential, personal or would infringe the Data Protection Act).

### **UNAUTHORISED ACTIVITIES**

63. No member of the Council or of any committee or subcommittee shall in the name of or on behalf of the Council:-
- (a) Inspect any lands or premises which the Council has a right or duty to inspect or;
- (b) Issue orders;
- unless authorised to do so by the Council or the relevant Committee or sub committee.

### **ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS**

64. The public and the press shall be admitted to all meetings of the Council and its committees and sub-committees which may however, temporarily exclude the public or the press or both by means of the following resolution viz.: "That in view of the (special) (confidential) nature of the business about to be transacted, it is advisable in the public interest that the (press) (public and press) (public) be temporarily excluded and they are instructed to withdraw."
65. The Clerk shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present.

66. If a member of the public interrupts the proceedings at any meeting the Chairman may, after a warning, order that he be removed from the Council meeting room or that the part of the meeting room open to the public be cleared.
67. The Parish Council conforms with the Openness of Local Government Bodies Regulations 2014 (“the 2014 Regulations”).

### **CONFIDENTIAL BUSINESS**

68. No member of the Council or of any committee or sub-committee shall disclose to any person not a member of the Council any business declared to be confidential by the Council, the committee or the sub-committee as the case may be.

### **LIAISON WITH BOROUGH COUNCILLORS & OTHER INTERESTED PARTIES**

69. A notice of a meeting shall be sent together with an invitation to attend to appropriate Councillors. Likewise interested parties should also be circulated with the Agenda and Minutes.

### **THE DATA PROTECTION REGULATION 2018**

71. The Council will comply with the General Data Protection Regulation (GDPR) which came into force on 25 May 2018.

### **STANDING ORDER ON CONTRACTS AND SUPPLY OF GOODS AND MATERIALS**

72. The Conditions/Disciplines applying to this Standing Order are described in the Parish Council’s Financial Regulations (as reviewed May 2022).

Adopted:  
Minute Ref:  
Review Date: