



DET L I N G
P A R I S H C O U N C I L

STANDING ORDERS

(Revised February 2024)

Section 1. Rules of Debate

- A)** Motions on the Agenda shall be considered in the order that they appear, subject to the discretion of the Chairman of the Meeting.
- B)** All Motions and Amendments, other than procedural motions must be proposed and seconded.
- C)** A motion on the Agenda that is not moved by its proposer, or seconder, may be treated as withdrawn.
- D)** If a motion or amendment has been seconded it may only be withdrawn with the consent of the seconder.
- E)** If an amendment is carried the original motion as amended becomes the substantive motion to which further amendments may be moved.
- F)** The Chairman may request the wording of an amendment moved to be given in writing.
- G)** A Councillor may move an amendment to his own motion provided the seconder (or proposer) so agrees.
- H)** Only one amendment may be considered at a time. If more than one amendment has been submitted, they shall be considered in the order determined by the Chairman.
- I)** The mover of an amendment shall have the right of reply at the end of discussion on the amendment, and the mover of the original motion shall have the right of reply immediately prior to the vote on the substantive motion.
- J)** During the debate a councillor may interrupt only to raise a point of order, or personal explanation, or to move a procedural motion. A Councillor raising a point of

order shall identify the Standing Order that the point is raised under, the ruling of the Chairman on the interpretation of a Standing Order is final.

- K) A procedural motion may be moved at any time and will be limited to:
 - I) A motion to proceed to next Business.
 - II) To put the motion to the vote
 - III) To adjourn the debate
 - IV) To adjourn the meeting
 - V) To refer a matter to a committee or Sub Committee
 - VI) To resolve that a person no longer be heard or be excluded from the meeting.
 - VII) To exclude the Press and Public
- L) Prior to the vote the Chairman shall satisfy themselves that the motion has been fully debated and understood. Speeches made shall only relate to the matter under discussion and may be halted by the Chairman if they are not germane.

Section 2 Disorderly Conduct at Meetings.

- A) No person shall obstruct the transaction of business or behave in an offensive or disruptive manner. If Such behaviour does occur the Chairman shall request that the person or persons concerned moderate their behaviour.
- B) In the event that such a moderation does not occur the Chairman or any Councillor may move that said person or persons shall not be heard or be excluded from the meeting. The motion will be put to the vote without further discussion.
- C) In the event that a resolution made under Standing Order 2B is ignored the Chairman may take further reasonable steps to restore order, or to progress the meeting. This may include, but not be limited to temporarily suspending ,or closing the meeting. The rules on disorderly conduct apply both to the formal part of meetings and to any public participation sessions.

Section 3 General Organisation of Meetings

- A) 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 either free of charge or at a reasonable cost.
- B) The minimum three clear days for notice of a meeting does not include the day on which the notice is issued, the day of the meeting, a Sunday, a day over the Christmas break, or Easter break, a bank holiday, or a day appointed for public thanksgiving or mourning.
- C) The minimum three clear days public notice for a meeting does not include the day the notice is issued on or the day of the meeting.
- D) Meetings shall be open to the press and the public unless their presence is prejudicial to the public interest by reason of the discussion of exempt information or other special reasons having applied the public interest test. The reasons for the

exclusion of the press and public from all or part of a meeting shall be set out in the resolution.

- E) In limited circumstances public disorder may be a reason for a meeting to continue without the press and public present.
- F) Members of the public may subject to the agreement of the Chairman make representations, ask or answer questions, and give evidence at a meeting which they are entitled to attend in respect of the business on the Agenda. All comments shall be addressed through the Chairman.
- G) The period of time designated for the public participation session, which will take place at the beginning of the relevant meeting, shall not exceed 30 minutes unless directed by the Chairman of the meeting.
- H) Items raised in the Public Participation Session should not lead to debate or require a response, however the Chairman may direct that an oral or written response be given.
- I) Only one person is permitted to speak at a time. If more than one person indicates their wish to speak by raising their hand the Chairman will determine the order of speaking
- J) A person attending a meeting may be permitted to report on the meeting. To report means to film, photograph, make an audio recording or use other means for enabling persons not present to see or hear the meeting as it takes place, or later. Such reportage may provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present, except where the provision of oral commentary will prove disruptive to the ability of those attending the meeting to participate.
- K) Therefore, a person present at a meeting shall not provide an oral report or commentary without permission.
- L) The press shall be provided with reasonable facilities for reporting all or part of a meeting which they are entitled to attend.
- M) Anything authorised or required to be done by the Chairman of the Council or a Committee may in their absence be undertaken by the Vice Chairman, if one is appointed. In particular in the absence of the Chairman from a meeting the Vice Chairman shall preside. If both are absent a Councillor shall be appointed from amongst those present to preside for that specific meeting.
- N) All votes shall be decided by a vote of all Councillors (and any co-opted members with voting rights as may have been appointed) present. In the case of an equality of votes the Chairman shall have a second casting vote.
- O) Voting will normally be by a show of hands, except where the Standing Orders provide otherwise. Any Councillor may specifically request a named and recorded vote, but provided this is made before moving on to the next Agenda item.
- P) The minutes of any meeting shall include a record of the following, the time and place of the meeting, the names of Councillors present and absent and any apologies given. Any interests that have been declared, and any dispensations granted, and whether Councillors left the meeting when the matter in which they had an interest was discussed and any resolutions made.

- Q)** Any Councillor (or co-opted member) who has a disposal pecuniary interest or other significant interest is subject to the requirements and limitations set out in law and the Council's Code of Conduct.
- R)** No business shall be transacted unless one third of the numbers of the Council, or Committee are present, and at no time can the quorum be less than 3. (Not including members covered by Standing Order Q) If a meeting becomes inquorate no business may be transacted and the meeting shall be closed, any remaining business will be deferred until the next meeting of the Council or Committee.

Section 4 Committees and Sub Committees

- A)** The Council may appoint Standing Committees or Working Groups/Advisory Groups as may be deemed necessary and:
 - I)** Shall determine their terms of reference.
 - II)** Shall determine the number and time of the ordinary meetings of a Committee up until the date of the next Annual Meeting of the Council.
 - III)** Shall allow a Committee to hold additional meetings at its own determination.
 - IV)** Shall appoint the members and substitute members if any of Committees and determine their term of office.
 - V)** May dissolve a Committee or Sub Committee, or Advisory/Working Group
- B)** Unless the Council determines otherwise a Committee may appoint a Sub Committee whose terms of reference and membership shall be determined by the Committee.
- C)** A Committee may include co-opted members, unless it is a Committee which regulates and controls the finances of the Council.
- D)** Unless the Council determines otherwise all the members of an Advisory Committee or a Subcommittee or of an Advisory Committees may be co-opted members (non-councillors)
- E)** Unless the Council determines otherwise Committees and Sub Committees or Advisory Groups will appoint their own Chairmen

Section 5 Council Meetings

- 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 Councillors elected take office.
- B)** In a non -election year the Annual Meeting of the Council shall be held on such a date in May as the Council may decide.
- C)** If no other time is fixed the Annual Meeting shall take place at 6pm.
- D)** In addition to the Annual Meeting at least 3 other ordinary meetings shall be held in each year on such dates and times as the Council decides.

- E)** The first business concluded at the Annual Meeting shall be the election of the Chairman and then the Vice Chairman, should one be appointed.
- F)** The outgoing Chairman shall continue in office and preside at the Annual Meeting and preside until their successor is elected at the next Annual Meeting, and the Vice Chairman of the Council likewise continues in office until the new Chairman is elected, unless either or both resign or are disqualified.
- G)** In election year if the Chairman has not been re-elected as a member of the Council he will nevertheless preside at the Annual Meeting of the Council until their successor is elected. The current Chairman will not have an original vote for the election of the new Chairman but will have a casting vote in the event of a tie.,
- H)** Following the election of the Chairman and Vice Chairman the next business of the Council at the Annual Meeting will be the signing and delivery of the acceptance of office forms
- I)** The further business of the Annual Meeting shall be:
 - I) Apologies for absence
 - II) Confirmation of the Accuracy of the last meeting of the Council
 - III) Receipt of the minutes of Committee Meetings
 - IV) Consideration of recommendations from Committees
 - V) Review of the Scheme of Delegation
 - VI) Review of Terms of Reference and Membership of Committees
 - VII) Review and Adoption of Standing Orders and Financial Regulations
 - VIII) Review of arrangements with other local authorities, and businesses.
 - IX) Review of arrangements with not-for-profit organisations
 - X) Review of Representation on and work with External bodies
 - XI) In election year plan to exercise the general power of competence
 - XIII) Review the Inventory of land and other assets
 - XIV) Confirm arrangements for Insurance Cover in respect of all risks
 - XV) Review the Council's subscriptions to other bodies.
 - XVI) Review the Council's Complaints procedure
 - XVII) Review the Council's policies on FOI and Data Protection
 - XVIII) Review the Councils other policies where needed
 - XX) Review any Expenditure incurred under S137 of the LGA 1972 or the GPC
 - XXI) Determine the Annual schedule of ordinary Council and Committee Meetings.

Section 6 Extraordinary Meetings of the Council, Committees and Sub Committees.

- A)** The Chairman of the Council may convene an extraordinary meeting of the Council, provided due notice is given to all members, the press and the public.
- B)** If the Chairman does not call an extraordinary meeting the Council within 7 days of having been requested in writing to do so by 2 Councillors any 2 Councillors may convene an extraordinary meeting of the Council. The public notice giving the time date and place of the meeting shall be signed by the 2 Councillors concerned.
- C)** The Chairman of a Committee or Sub Committee may convene an extraordinary meeting at any time provided due notice is given to the members of the Council, press and public.
- D)** If the Chairman of a Committee or Sub Committee does not call an extraordinary meeting within 7 days of having been requested to do so by 2 members of the Committee or Sub Committee any 2 members of the Committee or Sub Committee may convene an extraordinary meeting of the Committee or Sub Committee. The public Notice giving the time date and place of the meeting shall be signed by the 2 Councillors concerned.

Section 7 Previous Resolutions

- A)** A resolution to reverse a previous decision of Full Council shall only be reversed by a special motion signed by a majority of Members of the Council, (see section 9)
- B)** Where such a motion has been duly discussed no further motion shall be tabled for a further 6 months.

Section 8. Voting on Appointments.

Where more than two candidates have been nominated for a position and no one has secured an absolute majority the person with the least number of votes shall be eliminated until a majority of votes is cast for a single candidate, The Chairman of the meeting may exercise a casting vote in the event of a tie

Section 9 Motions Requiring Written Notice

- A)** All motions requiring a substantive decision must be duly notified to the Proper officer and must relate to the responsibilities of the meeting for which it is tabled, having regard to the Council's Statutory functions and obligations to represent the Local Community.
- B)** All motions must be on the Agenda and must be duly notified in writing to the Proper Officer at least 10 clear days before the Meeting. (Other than as set out in Section 10)
- C)** The Proper Officer may on the receipt of the motion correct any obvious spelling or grammatical errors. Where the meaning is unclear the motion shall be rejected and

the mover shall have up to 5 clear days before the meeting to re-submit the motion in a clearer form.

- D) Where a motion is improper, offensive or ultra vires, the Proper Officer shall consult with the Chairman of the Meeting, or the Councillors convening the meeting to consider whether the motion can be accepted, rejected or resubmitted in an appropriate form.
- E) Where following consultation the Proper Officer rejects a motion this shall be recorded with an explanation by the Proper Officer.
- F) All motions received will be recorded and numbered in the order received.

Section 10 Motions not requiring Written Notice

- I) To correct the accuracy of a minute
- II) To move to a vote
- III) To defer consideration of a Motion
- IV) To refer an item to a Committee or Sub Committee
- V) To appoint a member to preside at a meeting
- VI) To change the order of business
- VII) To [proceed to next business
- VIII) To require a written Report
- IX) To extend the time limit for speaking.
- X) To exclude the press and public from a meeting where the disclosure of exempt information has arisen, or where disorder is occurring.
- XI) To not hear further from a Councillor or Member of the Public
- XII) To exclude a Councillor or Member of the public for disorderly conduct
- XIII) To adjourn the meeting
- XIV) To Close the meeting

Section 11. Management of Information

- A) The Council shall have in place and keep under review technical and organisational measures to secure information, including personal data held in paper and electronic form; including determining who has access to personal data and the encryption of said data.
- B) The Council shall have in place and keep under review policies for the retention and safe destruction of all information, including personal data, which is held in paper and electronic form. The retention policy shall confirm the period for which information shall be retained, or where this is not possible use the criteria. set out in particular the Limitation Act 1980 to define the period.
- C) The Agenda, or other papers for a meeting shall not disclose, or otherwise undermine confidential data or personal data without both legal justification and a demonstrable public interest.

- D)** .Councillors, staff and contractors and agents working for the Council, including volunteers, shall not disclose confidential information or personal data without both a legal justification and a demonstrable public interest.

Section 12 Draft Minutes.

- A)** The draft minutes of preceding meetings having been served on Councillors with the Agenda for approval be assumed to have been read by Councillors. There shall be no discussion regarding the minutes of a preceding meeting other than in relation to their accuracy.
- B)** The accuracy of the draft minutes having been confirmed by a resolution of the meeting, including any amendments, these shall then be signed by the Chairman of the meeting to which they relate. Once the resolution confirming the accuracy of the minutes is agreed the draft minutes, or recording of the meeting shall be destroyed for any meeting for which approved minutes exist.
- C)** If the Council's gross income or expenditure whichever is higher does not exceed £25,000 it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.

Section 13 Code of Conduct and Dispensations

- A)** All Councillors and Co-opted Members must observe the Code of Conduct adopted by the Council.
- B)** Unless granted a dispensation a Councillor or co-opted member shall withdraw from a meeting whilst it considers a matter in which they have a disclosable pecuniary interest.
- C)** Unless granted a dispensation a Councillor or co-opted member shall withdraw from a meeting whilst it is considering an item in which they have an Other Significant interest.
- D)** Dispensation requests shall be made to the Proper Officer as soon as possible before the meeting and in all circumstances prior to the commencement of the meeting for which the dispensation is required.
- E)** The decision made on the dispensation request is made by the Proper Officer and is final
- F)** The request shall include the description and nature of the DPI or OSI to which the request relates, and whether the dispensation is only to speak or to speak and vote, as well as the date of the meeting or the period, not exceeding 4 years for which the dispensation is sought and an explanation as to why it is being sought.
- G)** The request shall be considered by the Proper Officer before the meeting, or if this is not possible at the start of the meeting for which the dispensation is required.

Section 14 Code of Conduct Complaints

- A)** Upon receipt of a notification from the Borough Council that it is dealing with a complaint that a Councillor or co-opted Member has breached the Council's code of conduct the Proper Officer shall report this to the Council.
- B)** Where the notification relates to a complaint by the Proper Officer the Proper Officer shall notify the Chairman of the Council who will nominate another member of staff if there is one available or a Councillor to assume the duty of the Proper Officer in relation to the complaint until the matter has been determined.
- C)** The Council may provide information or evidence where such disclosure is necessary to investigate the complaint or is required by law and may seek information relevant to the complaint from the proper body or person with statutory responsibility for the investigation.
- D)** Upon Notification from the Borough Council that the Councillor or co-opted member has breached the Code of Conduct the Council will consider what action to take to implement the findings and recommendations of the Monitoring Officer

Section 15 Role of the Proper Officer

- A)** The Proper Officer shall be the Parish Clerk, or such persons as may be appointed as temporary staffing cover for absence ill health or a staff vacancy.
- B)** The Proper Officer shall at least 3 clear days before a meeting of the Council, a Committee or Sub Committee serve on Councillors (and co-opted members) by post or an authenticated email in such manner as the Proper Officer feels fit a signed summons confirming the date, time, place, and the Agenda for the meeting, provided only that the Councillor has consented to such service by email and provide in a conspicuous place public notice of the time, date place, and Agenda provided that the public notice for an extraordinary meeting convened by Councillors is signed by said Councillors
- C)** Include on the Agenda all motions submitted, and not withdrawn.
- D)** Convene a meeting of the Council to elect a new Chairman of the Council upon the occasion of a casual vacancy.
- E)** Facilitate Inspection of the Minute Book by Local Government Electors
- F)** Receive and retain copies of any bylaws made by other Local Authorities.
- G)** Hold Acceptance of Office Forms from Councillors
- H)** Hold a copy of each Councillors Register of Interests.
- I)** Assist with Requests made under FOI legislation and requests made under Data Protection Regulations in accordance with the Council's policies and procedures.
- J)** Liaise with the Council's data Protection Officer if one is appointed.

- K)** Receive and send general correspondence and notices on behalf of the Council, except where there is a resolution to the contrary.
- L)** Assist with the organisation of, storage of access to security of and destruction of information held by the Council in paper and electronic form, subject to the requirements of data protection and FOI legislation and other regulations, such as the Limitation Act 1980.
- M)** Arrange for the execution of legal deeds.
- N)** Arrange or manage the prompt authorisation, approval and instruction regarding payments to be made by the Council in accordance with its financial regulations.
- O)** Record all planning applications notified to the Council and the Council's response in a dedicated file.
- P)** Refer a Planning Application received by the Council to the Chairman or in his absence the Vice Chairman if one has been appointed within 2 days of receipt to facilitate an extraordinary meeting of the Council **if** the nature of the application is that it requires consideration before the next ordinary meeting of the Council.
- Q)** Manage access to information about the Council via the publication scheme.

Section 16 Responsible Financial Officer

The Council shall appoint appropriate staff to undertake the work of the RFO when the RFO (Parish Clerk) is absent.

Section 17 Accounts and Accounting Statements.

- A)** All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practice and the Council's financial regulations.
- B)** The RFO shall supply to each Councillor as soon as practicable after 30th June, 30th September and 31st December each year a statement summarising the Council's receipts and payments for each quarter, the Councils aggregate receipts and payments for the year to date and the balances held at the end of the quarter being reported; which include a comparison with the budget for the financial year and highlighting any actual or potential overspends.
- C)** As soon as practicable after 31st March the RFO shall provide each Councillor with a statement summarising the Council's receipts and payments for the last quarter and the year to date for information and provide the Council with the accounting statements for the year in the form of Section 2 of the annual governance and accountability return for consideration and approval.
- D)** The year end accounting statements shall apply the form of accounts determined by the Council for the year to March 31st. A completed draft annual governance and accountability return shall be presented to all Councillors at least 14 days prior to consideration by the Council. The annual return of the Council, which is subject to external audit and includes the annual governance statement, shall be presented to the Council for consideration and formal approval before 30th June.

Section 17 Financial Control and Procurement.

A) The Council shall consider and approve financial regulations which shall include detailed arrangements in respect of the following:

I) The keeping of accounting records and systems of internal control

II) The assessment and management of financial risk faced by the Council

III) The work of the independent internal auditor and the receipt of proper reports from the internal auditor, which shall be required at least annually.

IV) The inspection and copying for Councillors and local electors of the Council's accounts payments and whether any contracts with a value of below £25,000 due to special circumstances are exempt from a tendering process or procurement exercise.

B) The financial regulations shall be reviewed regularly and at least annually for fitness of purpose

C) A public contract regulated by the Public Contracts Regulations 2015 with an estimated value of more than £25,000, but less than the threshold set out in Standing Order 18f is subject to regulations 109-114 of Public Contracts Regulations 2015, which includes a requirement to advertise the contract opportunity on the Contracts Finder website, regardless of other means used to advertise the opportunity, unless the Council chose to use an existing list of approved suppliers (framework agreement)

D) Subject to additional requirements in the financial regulations of the Council the tender process for contracts for the supply of goods, materials, and services or the execution of works shall include as a minimum the following steps:

I) A specification for the goods, materials, services or the execution of works shall be drawn up.

II) An invitation to tender shall be drawn up to confirm the Council's specification, the time date and address for the submission of tenders, the date at which the Council will give a written response to the tender and the prohibition on prospective tenderers contacting Councillors or staff outside of the prescribed process to support their tender.

III) The invitation to tender shall be advertised in a local newspaper and in any other appropriate manner.

IV) tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer

V)Tenders are to be reported to and considered by the appropriate meeting of the Council or a Committee with delegated responsibility. Neither the Council or a Committee with delegated authority is obliged to accept the lowest value tender.

F) A public contract regulated by the Public Contracts Regulations 2015 with an estimated value of over £181,302 for a public service or supply contract or in excess of

£4,551, 413 for a public works contract or such other thresholds as were set out in the in the official journal of European Union from time to time, or in such replacement regulations as may be enacted shall comply with the requirements of the 2015 regulations, including the use of the Contract Finders website, and the QJEU to advertise the contract.

Section 19 Handling Staff Matters

- A)** A matter personal to a member of staff that is being considered by the Council is subject to standing order 11.
- B)** Subject to the Council's policy regarding absence from work the Clerk shall notify the Chairman, or if he is not available the Vice Chairman of the Council of any absence due to illness or other reason.
- C)** The Chairman or in his absence the Vice Chairman shall with the authority of the Council by resolution conduct a preview of the performance and annual appraisal of the Clerk, which shall be reported in writing to the Council and are subject to approval by the Council.
- D)** Subject to the Council's grievance procedure the clerk shall contact the Chairman, or in his absence the Vice Chairman in respect of a formal or informal grievance matter, and this matter shall be back to Council to be formally progressed through the Grievance procedure.
- E)** Subject to the Council's grievance procedure if an informal or formal grievance relates to the conduct of the Chairman or Vice Chairman this shall be communicated to another member of the Council who shall report this to the Council to be formally progressed by a resolution to invoke the grievance procedure.
- F)** Any persons responsible for all, or part of the management of staff shall treat as confidential and secure all records of meetings relating to their performance, capabilities, grievance or disciplinary matters.
- G)** More generally the Council shall keep all written records relating to employees secure. All paper records shall be secured and locked and all electronic records password protected. In accordance with Standing Order 11 only persons with line management responsibilities shall have access to staff records covered in Standing Orders 15 F and G, subject only to the requirements of the Council's grievance procedure.

Section 20 Requirement to provide Information.

- A)** In accordance with Freedom of Information legislation the Council shall publish information in accordance with its adopted publication scheme and respond to requests for information from the Council

B) The Council shall publish information in accordance with the requirements of Smaller Authorities (transparency requirements) (England) Regulations 2015.

Section 21 Responsibilities under Data Protection Legislation

- A)** The Council may appoint a data Protection Officer.
- B)** The Council shall have procedures and policies in place to respond to an individual seeking to exercise statutory rights concerning their personal data.
- C)** The Council shall have a written policy in place for responding to and managing a personal data breach.
- D)** The Council shall keep a record of all personal data breaches comprising the facts relating to the breach, its effects and the remedial action taken.
- E)** The Council shall ensure that information communicated in its privacy notice is in an easily accessible and available form and is current.
- F)** The Council shall keep a written record of its Data Processing activities.

Section 22 Relations with the Press and Media.

Requests for statements from the Council its Councillors or Staff shall be dealt with according to the Council's adopted policy on dealing with the press and media.

Section 23 Execution and sealing of a Legal Deed

- A)** No legal deed may be executed on behalf of the Council unless duly authorised by a resolution of the Full Council.
- B)** Subject to Standing Order 23a any two Councillors may sign on behalf of the Council any deed required by law and the Proper Officer will witness the signature.

Section 24 Communicating with Borough and County Councillors

- A)** An invitation shall be sent together with the Agenda to Borough and County Councillors to all Full Meetings of the Council and where appropriate a Committee Meeting.
- B)** Unless the Council determines otherwise correspondence to the Borough or County Council shall be copied to the relevant Borough or County Members.

Section 25 Restriction on Councillor Activities

- A)** Unless specifically authorised no Councillor shall have a right or duty to inspect or
- B)** issue orders, instructions or directions.

Section 25 Standing Orders

- A)** A motion to add, vary or revoke one or more Standing Orders, other than those that enshrine a statutory duty or legal requirement shall be proposed by a special motion, with the written notice being given to the Proper Officer as set out in Standing Order 9.
- B)** The Proper Officer shall provide a copy of the Standing Orders to a Councillor upon request at the earliest opportunity.
- C)** The decision of the Chairman of a meeting as to the applicability of A standing Order at a meeting is final

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