

# ORLESTONE PARISH COUNCIL

## PREFACE

Some of the Standing Orders are compulsory as they are laid down in Acts of Parliament. These are printed in **bold type**. Standing Orders may only be changed at the time they are reviewed annually and may be changed by a simple majority of Council members voting.

### Standing Orders

#### **1. Meetings**

Meetings of the Council shall be held on the first Monday of each month except January and August at 7.30pm within Hamstreet Sports Pavilion. In the case of a bank holiday an alternative date will be chosen.

**Smoking is not permitted at any meeting of the Council.**

#### **2. The Statutory Annual Meeting**

- a) **In an election year the Annual General Parish Council Meeting shall be held on or within 14 days following the day on which the councillors elected take office and,**
- b) **In a year which is not an election year the Annual General Parish Council Meeting shall be held on such day in May as the Council may direct.**

**In addition to the Statutory Annual Parish Council Meeting at least three other statutory meetings shall be held in each year on such dates and times and at such place as the Council may direct.**

#### **3. Powers and Duties of the Chair**

**The person presiding at a meeting may exercise all the powers and duties of the Chair in relation to the conduct of the meeting. The Chair of committees and sub committees shall in the case of an equality of votes have a second or casting vote.**

#### **4. Proper Officer**

The Proper Office of the Council is the Clerk. The Responsible Financial Officer of the Council is the Clerk. Other duties and responsibilities of the Clerk are as laid down in the Conditions of Service Contract and Job Description which are available to members of the Parish Council.

Notwithstanding those duties and responsibilities, it shall be the duty of the Clerk to advise Members on the content and interpretation of these Standing Orders.

#### **5. Quorum**

***Three members or one-third of the total membership, whichever is the greater, shall constitute a quorum at meetings of the Council.***

If a quorum is not present when the Council meets or if during a meeting the number of members, for whatever reason, falls below the quorum, the business not transacted at that meeting shall be transacted at the next meeting or on such other day as the Chair may decide.

#### **6. Voting**

***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. Such a request must be made before moving on to the next business*** Members shall vote by show of hands unless the meeting decides otherwise. Unless indicated otherwise the Clerk shall always record the outcome of the vote only.

**Subject to (2) and (3) below the Chair may give an original vote on any matter put to the vote, and in any case of an equality of votes may give a casting vote whether or not he gave an original vote.**

**(2) If the person presiding at the annual meeting would have ceased to be a member of the council but for the statutory provisions which preserve the membership of the Chair and Vice-Chair until the end of their term of office he may not give an original vote in an election for Chair.**

**(3) The person presiding must give a casting vote whenever there is an equality of votes in an election for Chair.**

## **7. Order of Business**

The order of business shall be stated on an agenda paper which shall be delivered to each Member at least three clear days prior to the date of the meeting along with the summons convening the meeting.

**At each Annual Parish Council Meeting the first business shall be:-**

- a) **To elect a Chair of the Council**
- b) **To receive the Chair's declaration of acceptance of office or, if not then received, to decide when it shall be received.**
- c) **In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.**
- d) **To decide when any declarations of acceptance of office which have not been received as provided by law shall be received.**

*At every meeting other than the Annual Parish Council Meeting the first business shall be to appoint a Chair if the Chair and Vice-Chair be absent and to receive such declarations of acceptance of office (if any) and undertaking to observe the Council's code of conduct as are required by law to be made or, if not then received, to decide when they shall be received.*

**After consideration to approve the signature of the Minutes by the person presiding as a correct record.  
To deal with business expressly required by statute to be done.**

## **8. Meetings**

*At every meeting other than the Annual Parish Council Meeting the first business shall be to appoint a Chair if the Chair and Vice-Chair be absent and to receive such declarations of acceptance of office (if any) and undertaking to observe the Council's Code of Conduct as are required by law to be made or, if not then received, to decide when they shall be received.*

**After consideration to approve the signature of the Minutes by the person presiding as a correct record.  
To deal with the business expressly required by statute to be done.**

## **9. Declarations of Interest**

A Member with a Disclosable Pecuniary Interest or Other Significant Interest in a matter to be considered, or being considered at a meeting must:

- (a) disclose the interest; and
- (b) explain the nature of that interest at the commencement of that consideration or when the interest becomes apparent (subject to the last paragraph under this item - below); and unless they have been granted a dispensation;
- (c) not participate in any discussion of, or vote taken on, the matter at the meeting; and
- (d) withdraw from the meeting room whenever it becomes apparent that the business is being considered; and
- (e) not seek improperly to influence a decision about that business.

A Member with a Other Significant Interest, may attend a meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise. The Member will withdraw from the meeting room immediately after making representations, answering questions or giving evidence.

Where a Member has declared a Disclosable Pecuniary Interest or Other Significant Interest in a matter under discussion (unless a dispensation has been granted as referred to in paragraph (b) of this Standing Order), chooses to participate in the discussion and vote, the Chair will refuse to count the 'vote' of the Member concerned. The Chair may apply the rules in Council Procedure Rules relating to 'disorderly conduct'.

The Chair may request that a Member declare a Disclosable Pecuniary Interest or a Other Significant Interest and if appropriate, leave the meeting room, should they have reason to believe that the provisions of the Code of Conduct and/or this Standing Order are being breached.

Where a Disclosable Pecuniary Interest or a Other Significant Interest has been agreed by the Monitoring Officer as being a Sensitive Interest, the Member need only disclose the existence of the interest but not its nature.

#### **10. Resolutions Moved on Notice**

Except as provided by these Standing Orders, no resolution may be moved unless the business to which it relates has been included on the Agenda. Members may put an item or notice of resolution on the Agenda by giving the Clerk written notice of the item or resolution at least seven clear days prior to the meeting to which that agenda relates. Every resolution, amendment or recommendation shall be relevant to some subject over which the Council has the power or which affects its area.

#### **11. Resolutions Moved Without Notice**

Resolutions on procedural matters may be moved without notice including those to vary the order of business on grounds of urgency or procedural efficiency. Such resolutions shall be put to the vote without discussion.

#### **12. Rules of Debate**

- All remarks shall be addressed to the Chair.
- No discussion shall take place on the minutes of previous meetings except upon their accuracy. Corrections to the minutes shall be made by resolution and must be initialled by the Chair.
- A Member shall, except as provided by these Standing Orders, only be entitled to speak once on any motion or amendment.
- A Member shall direct comments to the question under discussion or to a personal explanation or to a point of order.
- No speech by a mover of a resolution shall exceed three minutes and no other speech shall exceed two minutes except by consent of the Council.
- The mover of a resolution shall have the right of reply not exceeding one minute.
- The ruling of the Chair on a point of order or on the admissibility of an item shall not be discussed.
- A representative of the local Constabulary shall be allowed to speak at Council meetings at the discretion of the Chair.
- A representative from the Borough Council and/or Kent County Council including the Community Warden shall be allowed to speak at Council meetings at the discretion of the Chair.
- Representatives from external organisations shall be allowed to speak at Council meetings at the discretion of the Chair.

#### **13. Closure**

A motion of closure of a debate may be moved at any time but must be proposed and seconded without comment. The Chair may refuse such motion if he feels that the question before the Council has not been sufficiently debated.

#### **14. Rescission of Previous Resolutions**

A decision of the Council (whether affirmative or negative) shall not be reversed within **three** months except by a special resolution, the written notice of which bears the names of at least three Members of the Council. When such a resolution has been disposed of, no similar resolution may be moved within a further three months.

#### **15. Confidential Business**

No member of the Council shall disclose to any person, not being a Member of the Council, any business declared to be confidential by the Council.

#### **16. Finance**

Three quotations will be obtained for all expenditure over £2,000

The annual precept and the annual budget will be decided by the Full Parish Council at either the November or December meeting of the Parish Council.

Orders for the payment of money shall be authorised by resolution of the Council and must be signed by two members. Monies may only be paid to organisations and not to an individual's account.

### **17. District Councillors**

District Councillors who are not also Parish Councillors shall be invited to attend meetings and shall be sent copies of agendas, minutes and other relevant documentation. They may be allowed to speak at the discretion of the Chair.

### **18. Disorderly Conduct**

**All members must observe the Code of Conduct which was adopted by the council in July 2012.**

No member shall at a meeting persistently disregard the ruling of the Chair, wilfully obstruct business, or behave irregularly, offensively, improperly or **in such a manner as to bring the Council into disrepute.**

**If a member reasonably believes another member is in breach of the code of conduct, that member is under a duty to report the breach.**

### **19. Members of The Public**

The public shall be admitted to all meetings of the Council and its committees and sub-committees, which may, however, temporarily exclude the public and press by means of the following resolution: "That in view of the [special] [confidential] nature of the business about to be transacted, it is advisable in the public interest that the public be temporarily excluded and they are instructed to withdraw." *(Notes: The special reasons should be stated. If a person's advice or assistance is needed he may be invited (by name) to remain after the exclusion resolution is passed.)*

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

If a member of the public interrupts the proceedings at any meeting, the chairman may, after warning, order that he be removed from the meeting and may adjourn the meeting for such period as is necessary to restore order.

If a member of the public wishes to raise a question/query or put forward a complaint this needs to be presented to either the Chairman or Parish Clerk at least three clear days (72 hours) prior the meeting.

### **20. Minutes**

**All minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council.**

Minutes of the meetings of the Council and its committees are available to any member of the public upon request.

Minutes of the meetings of the Parish Council and its committees are published to members of the Council..

### **21. Length of Meetings**

All meetings of the Council shall finish not later than two hours after commencement.

The meeting may exceed the given two hours only by a motion suspending the standing orders, at which point business will continue under Any Other Business. If such a motion is not passed then business of the Council shall be carried over to the next meeting or such other date as the Chair may decide.

### **22. Suspension of Standing Orders**

These Standing Orders may be suspended at any time and for any period of time by resolution.