

Kinnersley & District Group Parish Council

Standing Orders

Adopted 16th April 2020

STANDING ORDERS

1. The Statutory Annual Meeting

- a) In an election year the Annual 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 that is not an election year the Annual Parish Council Meeting shall be held on such day in May as the Council may direct.

2. Other Meetings

- a) Ordinary meetings shall normally be held five times per year for example, in January, March, July, September and November.
- b) Additional meetings may be called at the request of one third of the elected members signified in writing to the Clerk.
- c) The Chairman of the Council may convene an extraordinary meeting of the council at any time.

3. Non-attendance at Council Meetings

- a) In line with the Local Government Act 1972 section 85, Vacation of office by failure to attend meetings, any member of the Council who fails throughout a period of six consecutive months from the date of their last attendance to attend any meeting of the Council, shall, unless the failure was due to some reason approved by the Council before the expiry of that period, cease to be a member of the Council. Members unable to attend a council meeting should always send 'apologies' and the reason for non-attendance to the Clerk.
- b) Given that the Council's regular meetings are held at broadly two-monthly intervals a member may cease to be a member of the Council having missed two consecutive meetings without an approved reason for non-attendance. With this in mind, and in the event that a member fails to attend a meeting and a further consecutive non-attendance could result in membership ceasing, the Clerk will contact the member in writing with a copy to the Chairman and remind them of their obligation to attend meetings and the consequence of non-attendance over a six month period.

4. Proper Officer

Where a statute, regulation or order confers function or duties on the Proper Officer of the Council in the following cases, s/he shall be the Clerk or Nominated Officer:-

- a) To receive declarations of acceptance of office.
- b) To receive and record notices disclosing interests at meetings.
- c) To receive and retain copies of byelaws made by other local authorities, and plans and documents.
- d) To sign notices or other documents on behalf of the Council
- e) To sign and issue the summons to attend meetings of the Council, giving at least three days clear notice.
- f) To issue public notices of meetings of the Council.
- g) To keep proper records for all Council meetings.

5. Quorum of the Council

- a) Five members, being one-third of the total membership, shall constitute a quorum at meetings of the Council.
- b) If a quorum is not present or if during a meeting the number of councillors present (not counting those debarred by reason of a declared interest) falls below the required quorum, the meeting shall be adjourned and business not transacted shall be transacted at the next meeting or on such other day as the Chairman may fix.

6. Voting in Council Meetings

- a) Members shall vote by show of hands or, if at least two members so request, by signed ballot.
- b) 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.
- c) (i) The Chairman 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 s/he gave an original vote.
(ii) The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.

7. Order of Business

(In an election year Councillors should sign their Declarations of Acceptance of Office in the presence of a Member or the Clerk, and these should be delivered to the Council at or before the first meeting).

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

- a) To elect a Chairman of the Council

As four parishes make up this Group Parish, it is considered desirable that members from all four parishes take on the Chairmanship from time to time. It is accepted that the Chairman may be selected from Kinnersley and Norton Canon more frequently than from Sarnesfield and Letton because there are five members each from Kinnersley and Norton Canon but only two members each from Sarnesfield and Letton.

- b) In the year of election of the Council, to fill any vacancies left unfilled at the election by reason of insufficient nominations.

The Representation of the People Act 1985, Section 21 allows the elected members, provided there is a quorum (i.e. a minimum of five), to co-opt members to fill the remaining vacancies following the procedure given under Casual Vacancies below. If the Council fails to exercise the power to co-opt within seven weeks, or if there is no quorum, the unitary council may order a fresh election to properly constitute the Council.

- c) To elect a Vice-Chairman of the Council.

d) At every meeting other than the Annual Parish Council Meeting the first business shall be to appoint a Chairman if the Chairman and Vice-Chairman be absent.

e) In every year, not later than the meeting at which the estimates for next year are settled, the Council shall review the pay and conditions of service of existing employees.

f) After the first business has been completed, the next item of business shall be 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.

g) No motion may be moved unless the business to which it relates has been put on the Agenda by the Clerk. The mover should give notice in writing of its terms and should deliver the notice to the Clerk at least 7 clear days before the next meeting of the Council.

8. Code of Conduct and Dispensations concerning members' interests

- a) All members must observe the Herefordshire Council Code of Conduct (adopted July 2017) which outlines steps to be taken where members have an interest in a matter to be discussed, including granting of dispensations to members having an interest. This Code of Conduct can be viewed on the Parish Council website.
- b) No member shall at a meeting persistently disregard the ruling of the Chairman, willfully obstruct business, or behave irregularly, offensively, improperly or in such a manner as to bring the Council into disrepute.

- c) If, in the opinion of the Chairman, a member has acted in a manner contrary to that required, 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. 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 to the Standards Board.
- d) If the motion mentioned in paragraph (c) is disobeyed, the Chairman may adjourn the meeting or take such further steps as may reasonably be necessary to enforce them.
- e) Unless he/she has been granted a dispensation, a councillor shall withdraw from a meeting when it is considering a matter in which he/she has a disclosable pecuniary interest. He/she may return to the meeting after it has considered the matter in which he/she had the interest.
- f) Unless he/she has been granted a dispensation, a councillor shall withdraw from a meeting when it is considering a matter in which he/she has another interest if so required by the council's code of conduct. He/she may return to the meeting after it has considered the matter in which he had the interest.
- g) Dispensation requests shall be in writing and submitted to the Clerk/Proper Officer as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- h) A decision as to whether to grant a dispensation shall be made by the Clerk/Proper Officer OR by a meeting of the council, and that decision is final.
- i) A dispensation request shall confirm:
 - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - iv. an explanation as to why the dispensation is sought.

9. Casual Vacancies

Casual vacancies, which may occur during the term of the Council, will be advertised on the Council's notice board, website, and in a local village magazine if one exists. An election to fill the vacancy shall be held if within 14 days after public notice of the vacancy has been given, notice in writing of a request for such an election has been given to the Returning Officer by ten persons who are registered as local government electors in the parish. If an election is not requested, the incumbent members may co-opt a new member to fill the vacancy. The procedure for co-option of one or more than one new member is set out in the Kinnersley & District Group Parish Council Procedure for Co-opting a new Councillor.

10. Discussions and Resolutions Affecting Employees of the Council

If at a meeting there arises any questions 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 press and public shall be excluded.

11. Committees

- a) The Council may at its Annual Parish Council Meeting appoint standing committees and may at any other time appoint such other committees as are necessary.
- b) The Chairman and Vice-Chairman shall be voting members of every committee.
- c) Every committee shall at its first meeting before proceeding to any other business, elect a Chairman who shall hold office until the next Annual Meeting of the council, and shall settle its programme of meetings of the year.
- d) Except where ordered by the Council in the case of a committee, or by the Council or by the appropriate committee in the case of sub-committee, the quorum of a committee or sub-committee shall be one-half of its committee or a minimum of three members, whichever is the greater.
- e) Members of committees and sub-committees entitled to vote, shall vote by show of hands, or, if at least two members request, by signed ballot.

12. Accounts and Financial Statement

- a) All accounts for payments and claims upon the Council shall be laid before the Council.
- b) The clerk shall supply to each member as soon as practicable after 31 March in each year a statement of the receipts and payments of the Council for the completed financial year.
- c) The Statement of Accounts of the Council (which is subject to external audit) shall be presented to Council for formal approval at the Annual Meeting, or according to the timetable laid down by the external auditors.
- d) The council shall approve a budget for the coming financial year at its meeting before the end of the month of December.

13. Banking arrangements

- a) At least five members, including at least one member from each parish, are designated as cheque signatories, and these are agreed annually at the meeting in May. All cheques must be signed by the clerk plus two of the member signatories, and the members who sign the cheque should also initial the cheque stub.
- b) The clerk has on-line access to the parish council bank account, for viewing only, so that the balance and account transactions can be checked in between receiving monthly statements,

14. Inspection of Documents

- a) A member may for the purpose of his or her duty 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.
- b) All minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council.

15. Admission of The Public and Press to Meetings

- a) The public and the media 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 resolutions:-

“That in view of the confidential nature of the business about to be transacted, it is advisable in the public interest that the press and public be temporarily excluded and they are instructed to withdraw”.

- b) At all meetings of the Council, the Chairman may at his/her discretion and at a convenient time in the transaction of business, adjourn the meeting so as to allow any members of the public to address the meetings in relation to the business to be transacted at that meeting.

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

16. Confidential Business

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.

17. Standing Orders

- a) Standing Orders may be amended by a Resolution.
- b) A copy of the 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 and written undertaking to observe the Code of Conduct adopted by the Council.
- c) The Council shall, at its first meeting of the year, review these Standing Orders, and shall make such amendments to them as are appropriate.