

Butcombe Parish Council Standing Orders

1. Meetings

- a. The Parish Council will meet on the third Wednesday of each month.
- b. Standing Orders are in force for all Parish Council meetings but they may be suspended subject to SO45.
- c. The Council Chairman may convene an Extraordinary meeting of the Parish Council at other times provided that all legal requirements are met.
- d. The public may attend all meetings of the Parish Council and its Committees. Unless otherwise advised, meetings of the Council will commence at 7.30pm and will be held in The Village Hall, Butcombe.
- e. Smoking is not permitted at any meeting of the Council.

2. The Statutory Annual Meeting

- a. In an election year the annual meeting of the Parish Council shall be held on or within 14 days following the fourth day after the election day.
- b. In a year, which is not an election year, the annual meeting shall be held on such day in May as the Council may direct.

3. Chairman of the Meeting

In the absence of the Proper Officer due to illness or annual leave, the Chair to the Parish Council may sign any summons to attend meetings of the Council and these will deem to have been duly called.

The person presiding at a meeting may exercise all the powers and duties of the Chair in relation to the conduct of the meeting.

4. Proper Officer

Where a statute, regulation or order confers function or duties on the proper officer of the Council in the following cases, he/she shall be the Clerk or nominated officer. The 'Proper Officer' is the Clerk to the Council, whose duties will include:

- a. To receive declarations of acceptance of office.
- b. To receive and record notices disclosing personal and prejudicial interests.
- c. To receive and retain correspondence, plans and other documents.
- d. To sign notices or other documents on behalf of the Council. #

- e. To receive copies of bylaws made by any superior authority and to notify the Council of such bylaws.
- f. To certify copies of bylaws made by the Council.
- g. To sign summons to attend meetings of the Council.
- h. To keep proper permanent records of all Council meetings.

5. Officers

- a. The Council shall employ a Parish Clerk whose duties and responsibilities will be detailed in a Job Description and outlined in Standing Orders and Financial Regulations, where applicable.
- b. The Council may also employ such other staff as are necessary to fulfil the Council's financial, administrative and operational obligations.
- c. The Parish Clerk is responsible for the supervision of all Council's employees.
- d. On commencement of employment staff shall be provided with:
 - (i) a formal confirmation of salary arrangements with this to be defined in a Contract of Employment, other than where the Contract of Employment is to be agreed following an appropriate period of probation;
 - (ii) a list of duties and responsibilities which have been determined by the Council and agreed by the Clerk.
- e. Where practical, salaries shall be reviewed by the Council each year in time to allow changes to be included in the annual estimates/precept for the forthcoming year.
- f. Salary changes become effective from 1st April following the review.
- g. The Parish Council shall pay:
 - (i) all legitimate expenses incurred by Officers carrying out Council business; (ii) fees and expenses of Officers attending approved training courses.

Pay and Conditions of Service 6. In every year, not later than the meeting at which the estimates for next year are to be agreed, the Council shall review the pay and conditions of service of existing employees. Standing Order 36 must be read in conjunction with this requirement.

7. Quorum of the Council

Five Members or one-third of the total membership, whichever is the greater shall constitute a quorum.

- a. If a quorum is not present or if during a meeting the number of Members present (not counting those debarred by reason of a declared prejudicial interest) falls below the required quorum, the meeting shall be adjourned and business not transacted. This business shall be transacted at the next meeting or on such other day as the Chairman may determine.

b. For a quorum relating to a committee or sub-committee, refer to Standing Order 27.

8. Voting

Members shall vote by show of hands or, if at least two Members so request, by signed ballot.

a. 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 may be made before or after the vote but in any event before moving on to the next business.

b. i. Subject to ii. and iii. 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.

ii. 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/she may not give an original vote in an election for Chair.

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

iv. The votes of those abstaining should be counted and recorded as such. As is the case for those voting in favour or against, those abstaining should have the option of having their names recorded together with their reason(s) for abstaining.

v. The Chair's Vote. Before any vote is taken the Chair is to notify the meeting if he/she intends to vote on the issue.

9. Order of Business

At each Annual Meeting the order of 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, where possible to fill any vacancies left unfilled at the election by reason of insufficient nominations;

d. to decide when any declarations of acceptance of office and written undertakings to comply with the Code of Conduct adopted by the Council which have not been received as provided by law shall be received;

e. to elect a Vice-Chair of the Council;

f. to appoint Committees, Sub-committees and Working Groups; i. Committees: - Planning Committee

ii. Sub-committees: (none in place at the present time)

iii. Working Groups: - Highways - Airport - Environment - Finance

g. to appoint representatives to nominated outside bodies: - Memorial Hall & Recreation Field Committee - Bristol International Airport Consultative Committee - Parish Councils Airport Association (PCAA) - Avon Local Councils Association (ALCA) - Butcombe Parish Charities

Thereafter the meeting shall follow the order set out in the Standing Order 11.

10. At every meeting other than the Annual Meeting, the first business shall be to appoint a Chair if the Council Chair and Vice-Chair be absent and to receive such declarations of 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.

11. After the first business has been completed, the order of business, unless the Council otherwise decides, shall be as follows:

a. to receive apologies for absence;

b. to receive any declarations of interest relating to known agenda items;

c. 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 shall be taken as read;

d. after consideration, to approve the signature of the Minutes by the person presiding as a correct record;

e. to deal with business expressly required by statute;

f. to dispose of business, if any, remaining from the last meeting;

g. to receive such communications as the Clerk may wish to lay before the Council;

h. to receive and consider a report from the Police Beat Manager or Community Support Officer, as appropriate;

i. to receive and consider a report from the Clerk on finance and other matters;

j. to receive and consider reports from committees, sub-committees and working groups;

k. to receive and consider reports from representatives to nominated outside bodies:

l. to receive and consider a report from the District Councillor;

m. to receive and consider resolutions or recommendations in the order in which they have been notified;

n. to note informative matters raised under Open Forum.

12. Urgent Business A motion to vary the order of business on the ground of urgency 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.

13. Resolutions Moved On Notice

a. Except as provided by these Standing Orders, no resolution may be moved unless the business to which it relates has been put on the Agenda by the Clerk or the mover has given notice in writing of its terms and has delivered the notice to the Clerk at least seven clear days before the next meeting of the Council.

b. The Clerk shall date every notice of resolution or recommendation when received, shall number each notice in the order in which it was received and shall enter it in a book or equivalent permanent file which shall be open to the inspection of every Member of the Council.

c. The Clerk shall insert in the summons for every meeting all notices of motion or recommendation properly given in the order in which they have been received unless the Member giving a notice of motion has stated in writing that he/she intends to move at some later meeting or that he/she withdraws it.

d. If a resolution or recommendation specified in the summons is not moved either by the Member who gave notice of it or by any other Member, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.

e. 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 committee as the Council may determine for report; however, if the Chair considers it to be a matter of urgency, he may allow it to be dealt with at the meeting at which it was moved.

f. Every resolution or recommendation shall be relevant to some subject over which the Council has power or duties.

14. Resolutions Moved Without Notice

Resolutions dealing with the following matters may be moved without notice:

a. to appoint a Chairman of the meeting;

b. to correct the Minutes (see SO16);

c. to approve the Minutes;

d. to alter the order of business;

e. to proceed to the next business;

f. to close or adjourn the debate;

g. to refer a matter to a committee, sub-committee or working group;

h. to appoint a committee, sub-committee, working group or any members thereof;

- i. to adopt a report;
- j. to amend a motion;
- k. to give leave to withdraw a resolution or amendment;
- l. to exclude the public (see SO39);
- m. to silence or eject from the meeting a Member named for misconduct (see SO19);
- n. to give the consent of the Council where such consent is required by these Standing Orders;
- o. to suspend any Standing Order (see SO45);
- p. to adjourn the meeting.

15. Questions

- a. A Member may ask the Chairman of the Council or the Clerk any question concerning the business of the Council, provided reasonable notice of the question has been given to the person to whom it is addressed.
- b. Questions not connected with business under discussion shall only be put under Open Forum.
- c. A person to whom a question has been put may decline to answer.

16. Rules of Debate

- a. No discussion shall take place upon the Minutes except upon their accuracy.
- b. Corrections to the Minutes shall be made by resolution and must be initialled by the Chairman.
- c. A resolution or amendment shall not be discussed unless it has been proposed and seconded, unless proper notice has already been given.
- d. A Member when seconding a resolution or amendment may, if he/she then declares his intention to do so, reserve his speech until a later period of the debate.
- e. A Member shall direct his speech to the question under discussion or to a personal explanation or to a question of order.
- f. An amendment shall be either: i. to leave out words; ii. to leave out words and insert others; iii. to insert or add words.
- g. If an amendment be carried, the resolution, as amended, shall take the place of this original resolution and shall become the resolution upon which any further amendment may be moved.

h. A further amendment shall not be moved until the Council has disposed of every amendment previously moved.

i. When a resolution is under debate only the following resolutions shall be moved:

j. to amend the resolution; ii. to proceed to the next business; iii. to adjourn the debate; iv. to put the question; v. to refer the resolution to a committee; vi. to exclude the public and press; vii. to adjourn the meeting.

17.

a. The ruling of the Chair on a point of order or on the admissibility of a personal explanation shall not be discussed.

b. Members shall seek permission to address the Chair, by raising their hands; and the Chair shall call upon one of them to speak.

18. Closure

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 do now adjourn”. If such motion is seconded the Chair shall put the motion. If the motion “that the question be now put” is carried, he shall call upon the mover to exercise or waive his 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.

19. Disorderly Conduct

a. All Members must behave in a manner required by the Code of Conduct which was adopted by the Council on 19 December 2012, a copy of which is annexed to these Standing Orders. 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 for England.

b. 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 scandalise the Council or bring it into contempt or ridicule.

c. If, in the opinion of the Chair, a Member has broken the provisions of paragraph (a) or (b) of this Order, 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.

d. If either of the motions mentioned in paragraph c) is disobeyed, the Chairman may suspend the meeting or take such further steps as may reasonably be necessary to enforce them.

20. Right of Reply

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 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.

21. Alteration of Resolution

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

22. Rescission of Previous Resolution

a. A decision (whether affirmative or negative) of the Council shall not be reversed within six months except either by a special resolution, the written notice whereof bears the names of at least three Members of the Council, or by a resolution moved in pursuance of the report or recommendation of a committee.

b. When a special resolution or any other resolution moved under the provisions of paragraph (a) of this Order has been disposed of, no similar resolution may be moved within a further six months.

23. Voting on Appointments

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.

24. Discussions and Resolutions Affecting Employees of the Council

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 (as the case may be) has decided whether or not the public shall be excluded (See SO39).

25. Resolutions on Expenditure

Regarding a resolution moved other than in pursuance of a recommendation of the finance working group or of a committee or sub-committee. If, in the opinion of the Chairman, this resolution would either substantially increase the expenditure upon any service which is under the management of the Council, or reduce the revenue at the disposal of any committee, or involve capital expenditure, it shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council. This procedure would enable, at the next ordinary meeting:

i. any affected committee to comment on the resolution, and ii. the finance working group to present a report, should it wish, on the financial consequences of the resolution.

26. Expenditure

Orders for the payment of money shall be authorised under the rules set out in the Financial Regulations of the Council, when in place, and signed by two Members and initialled by the Clerk.

27. Committees

- a. The Council may at its Annual Meeting appoint standing committees and may at any other time appoint such other committees as are necessary, clearly defining roles of the committees and any delegated powers. Subject to any relevant statutory provisions, the Council:
 - i. shall not appoint any Member to a committee so as to hold office later than the next Annual Meeting;
 - ii. may at any time dissolve or alter the membership of a committee.
- b. The Chair of any committee appointed by the Council will be elected at the Annual Meeting of the Council and will hold office until the following Annual Meeting.
- c. Every committee may, should its Members so wish, at its first meeting and before proceeding to any other business, elect a Vice-Chair who shall hold office until the next Annual Meeting of the Council.
- d. The Parish Council Chair and Vice-Chair, ex-officio, shall be members of every committee.
- e. 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 a sub-committee, the quorum of a committee or sub-committee shall be three, or one-third of its members, whichever is the greater.
- f. The Standing Orders on both Rules of Debate and the interests of Members in contracts and other matters shall apply to committee meetings.

28. Special Meeting

The Chair of a committee or the Council Chair may summon an additional meeting of that committee at any time. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.

29. Sub-Committees

Every committee may appoint sub-committees for purposes to be specified by the committee.

- a. Every sub-committee shall, at its first meeting and before proceeding to any other business, elect a Chair and may elect a Vice-Chair who shall hold office until the next Annual Meeting of the Council.
- b. The Chair and Vice-Chair of the committee may be members of each subcommittee.
- c. The Standing Orders on both Rules of Debate and the interests of Members in contracts and other matters shall apply to sub-committee meetings.

30. Working Groups

- a. The Council may appoint working groups for purposes to be specified by the Council, and for which public notice of meetings is not required.
- b. The Chair of any working group appointed by the Council shall be elected at the Annual Meeting of the Council and will hold office until the following Annual Meeting.
- c. A working group may invite persons who are not Members of the Council to participate in an advisory role and attend meetings as and when necessary, where agreed by resolution of the Council.
- d. Persons invited who are not Members of the Council shall be expected to provide an undertaking that the confidentiality of any Council business discussed by the working group will be respected.
- e. The Clerk shall inform the members of each working group of the terms of reference of the group.
- f. A working group shall make recommendations and give notice thereof to the Council.

31. Voting in Committees and Sub-committees

- a. Members of committees and sub-committees entitled to vote shall do so by show of hands or, if at least two Members so request, by signed ballot.
- b. Chairs of committees and sub-committees shall in the case of an equality of votes have a second or casting vote.

32. Presence of Non-Members of Committees at Committee Meetings

A Member who has proposed a resolution which has been referred to any committee of which he/she is not a member may explain his resolution to the committee but shall not vote.

33. Accounts and Financial Statement

- a. Except as provided in paragraph (b) of this Standing Order or by statute, all accounts for payment and claims upon the Council shall be authorised under the rules set out in the Financial Regulations of the Council, when in place.
- b. Where it is necessary to make a payment before it has been authorised under the rules set out in the Financial Regulations, such payment shall be certified as to its correctness and urgency by the Clerk. Such payment shall be authorised by the appropriate committee, if any, having charge of the business to which it relates, or by the proper officer for payment with the approval of the Chairman or Vice-Chairman of the Council.
- c. All payments notified under paragraph (b) of this Standing Order shall be separately included in the next schedule of payments put before the Council.

d. The Responsible Financial Officer shall supply to each Member, within 3 months of the end of the Financial Year, a copy of the unaudited annual accounts for the Council.

34. Estimates / Receipts

- a. The Council shall approve estimates for the coming financial year at its December meeting.
- b. Any committee desiring to incur expenditure shall give the Clerk a written estimate of the expenditure recommended for the coming year no later than 1st December to conform with this policy.

35. Interests

- a. If a Member has a personal interest as defined by the Code of Conduct adopted by the Council on 19 September 2007 then he/she shall declare such interest as soon as it becomes apparent, disclosing the nature and extent of that interest as required.
- b. If a Member who has declared a personal interest then considers the interest to be prejudicial, he/she must withdraw from the meeting during consideration of the item to which the interest relates.
- c. The Clerk shall hold a copy of the Register of Member's Interests in accordance with instructions received from the Monitoring Officer of the Responsible Authority and/or as required by statute.
- d. If a candidate for any appointment under the Council is to his/her knowledge related to any Member or the holder of any office under the Council, he/she and the person to whom he/she is related shall disclose the relationship in writing to the Clerk. A candidate who fails to do so shall be disqualified from such appointment and, if appointed, may be dismissed without notice. The Clerk shall report to the Council or to the appropriate committee any such disclosure. Where relationship to a Member is disclosed this Standing Order shall apply.
- e. The Clerk shall make known the Standing Order to every candidate.

36. Canvassing of and Recommendations by Members

- a. Canvassing of Members of the Council or of any committee, directly or indirectly, for any remunerated appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make known the implications of this sub-paragraph of this Standing Order to every candidate.
- b. A Member of the Council, or of any committee, shall not solicit for any person any such appointment under the Council, or recommend any person for such appointment or for promotion; but, nevertheless, any such Member may give a written testimonial of a candidate's ability, experience of character for submission to the Council with an application for appointment.
- c. Standing Order Nos. 35a & 36 shall apply to tenders as if the person making the tender were a candidate for an appointment.

37. Inspection of Documents

- a. A Member may for the purpose of his/her duty inspect any document in possession of the Council or a committee, and if copies are available shall, on request, be supplied with a copy free of charge.
- b. All minutes kept by the Council and by any committee shall be open for inspection by any Member of the Council and the public.

38. Unauthorised Activities

Without authorisation 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, instructions or directions.

39. Admission of the Public and Press to Meetings

- a. The public shall be admitted to all meetings of the Council and its committees and sub-committees, which may, however, temporarily exclude the public by means of the following resolutions:

“That in view of the special or 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”.

- b. The Council shall state the special reason for exclusion.
- c. Where the District Councillor is not a Member of the Council, he/she may be invited to speak by the Chairman during meetings to offer additional information.
- d. At all meetings of the Council the Chairman may at his discretion and at a convenient time in the transaction of business adjourn the meeting so as to allow any member of the public to address the meeting in relation to the business to be transacted at that meeting.
- e. Public participation will be included as an agenda item in Planning Committee meetings to provide an opportunity for members of the public to speak on any planning issue.
- f. The Clerk shall afford to members of the press reasonable facilities for making their report of any proceedings at which they are entitled to be present. There shall be no audio or video recording or photographing of the meeting without the written approval of the Council.
- g. If a member of the public interrupts the proceedings at any meeting, the Chair may, after warning, order that he/she be removed from the meeting.

40. Confidential Business

- a. No Member of the Council or of any committee, sub-committee or working group shall disclose to any person not a Member of the Council any business declared to be confidential by the Council or the committee, subcommittee or working group.
- b. Any Member in breach of the provisions of paragraph (a) of this Standing Order shall be removed from any committee, sub-committee or working group of the Council.

41. Liaison with the District Councillor

- a. Where the District Councillor is not a Member of the Council, a notice of meeting shall be sent to the District Councillor together with an invitation to attend meetings of the Council.
- b. Unless the Council otherwise orders, where the District Councillor is not a Member of the Council a copy of each formal communication ordered to be sent to the District Council or Planning Authority shall be transmitted to the District Councillor.

42. Planning Applications

- a. The Clerk shall, as soon as it is received, enter in a book or equivalent permanent file maintained for the purpose the following particulars of every planning application notified to the Council:
 - i. the date on which it is received; ii. the name of the applicant; iii. the place to which it relates; iv. details of the proposed development.
- b. The Clerk shall refer every planning application received to the Chairman of the Planning Committee within 7 days of receipt.

43. Standing Orders on Contracts

- a. Where it is intended to enter into a contract exceeding £5000 but not exceeding £50,000 in value for the supply of goods or materials or the execution of works or services, the Clerk shall give at least three weeks public notice of such intention, in the same manner as a public notice of meetings to the Council is given.
- b. Where the value of the intended contract exceeds £50,000, similar notice shall be given in such newspapers circulating in the district as the Council shall direct.
- c. Notice of a contract exceeding £50,000 shall state the general nature of the intended contract, the name and address of the person to whom tenders are to be addressed and the last date and time by which those tenders should reach that person by post.
- d. The Clerk, in the presence of the Council Chair and Vice-Chair shall, on the due date, open all tenders received. No prices shall be divulged to any person before they are put before the Council or appropriate committee.
- e. Neither the Council nor any committee is bound to accept the lowest tender.
- f. If no tender is received or if all the tenders are identical the Council may proceed as it thinks fit.

44. Code of Conduct on Complaints

The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or Member in such manner as adopted by the Council except for those complaints which should be properly directed to the Standards Board for consideration.

45. Variation, Revocation and Suspension of Standing Orders

a. Any or every part of the Standing Orders except those printed in bold type may be suspended by resolution in relation to any specific item of business.

b. A resolution permanently to add, vary or revoke a Standing Order shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

46. Standing Orders to be given to Members

A copy of these 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 comply with the Code of Conduct adopted by the Council.