

ROXBY-CUM-RISBY PARISH COUNCIL STANDING ORDERS

These Standing Orders were adopted by the Council at its Meeting held on 13 July 2016¹

1 MEETINGS GENERALLY

- 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 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 notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.
- c. Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.
- d. Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda if invited by the Chairman to do so.
- e. Subject to standing order 3(d) above, a member of the public shall not speak for more than 3 minutes.
- f. In accordance with standing order 3(d) above, a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.
- g. A person who speaks at a meeting shall direct his comments to the chairman of the meeting.
- h. Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.
- i. The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.
- j. Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council.
- k. The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if present, shall preside. If both the

¹ Reviewed at 9 May 2018 meeting – no amendments

Chairman and the Vice-Chairman are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.

- l. Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors or councillors with voting rights present and voting.
- m. The chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote.
- n. Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.
- o. The minutes of a meeting shall include an accurate record of the following:
 - i) the time and place of the meeting
 - ii) the names of councillors present and apologising for absence
 - iii) interests that have been declared by councillors and non-councillors with voting rights
 - iv) whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered
 - v) if there was a public participation session; and
 - vi) the resolutions made.
- p. A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.
- q. No business may be transacted at a meeting unless at least one-third of the whole number of members of the council are present and in no case shall the quorum of a meeting be less than three.
- r. If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.
- s. A meeting shall not exceed a period of 2 hours.

2 ORDINARY 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 new councillors elected take office.

- b. In a year which is not an election year, the annual meeting of a council shall be held on the second Wednesday in May.
- c. The annual meeting of the council shall take place at 7.15 pm.
- d. In addition to the annual meeting of the council, at least three other ordinary meetings shall be held in each year on the second Wednesday of March, July and September. Additional Meetings shall be held on the second Wednesday of January and November. These meetings shall be held in the Methodist Church Schoolroom at 7.15 pm unless notified at least 7 days in advance.
- e. The first business conducted at the annual meeting of the council shall be the election of the Chairman and Vice-Chairman of the Council.
- f. The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the council.
- g. The Vice-Chairman of the Council, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the council.
- h. In an election year, if the current Chairman of the Council has not been re-elected as a member of the council, he shall preside at the meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but must give a casting vote in the case of an equality of votes.
- i. In an election year, if the current Chairman of the Council has been re-elected as a member of the council, he shall preside at the meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and must give a casting vote in the case of an equality of votes.
- j. Following the election of the Chairman of the Council and Vice-Chairman of the Council at the annual meeting of the council, the business of the annual meeting shall include:
 - i) In an election year, delivery by the Chairman of the Council and councillors of their acceptance of office forms unless the council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council of his acceptance of office form unless the council resolves for this to be done at a later date.

After the first business has been completed, the order of business, unless the Council otherwise decides on the grounds of urgency, shall be as follows:

- ii) To read and consider the Minutes: provided that 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

- iii) After consideration to approve the signature of the Minutes by the person presiding as a true record
- iv) To deal with business expressly required by the agenda to be done
- v) To dispose of business, if any, remaining from the last meeting.
- vi) To receive and consider reports from officers of the council and councillors.
- vii) To authorize the signing of orders for payment. Orders for the payment of money shall be authorized by resolution of the Council and signed by two members and the clerk.
- viii) Any other business as specified in the agenda.

3 EXTRAORDINARY MEETINGS OF THE COUNCIL

- a. The Chairman of the Council may convene an extraordinary meeting of the council at any time.
- b. If the Chairman of the Council does not or refuses to call an extraordinary meeting of the council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the council. The public notice giving the time, place and agenda for such a meeting must be signed by the two councillors.

4 HANDLING CONFIDENTIAL OR SENSITIVE INFORMATION

- a. The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential or sensitive information which for special reasons would not be in the public interest.
- b. Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.

5 DRAFT MINUTES

- a. If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b. There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy.
- c. The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d. If the chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:

“The chairman of this meeting does not believe that the minutes of the meeting of the () held on [date] in respect of () were a correct record but his view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”

6 CODE OF CONDUCT AND DISPENSATIONS

- a. All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the council.
- b. Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.

7 PROPER OFFICER

- a. The Proper Officer shall be either (i) the clerk or (ii) other staff member(s) nominated by the council to undertake the work of the Proper Officer when the Proper Officer is absent.
- b. The Proper Officer shall:
 - i) At least three clear days before a meeting of the council, serve on councillors a summons, by email, confirming the time, place and the agenda provided any such email contains the electronic signature and title of the Proper Officer
 - ii) give public notice of the time, place and agenda at least three clear days before a meeting of the council (provided that the public notice with agenda of an extraordinary meeting of the council convened by councillors is signed by them)
 - iii) convene a meeting of full council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office
 - iv) facilitate inspection of the minute book by local government electors
 - v) receive and retain copies of byelaws made by other local authorities
 - vi) retain acceptance of office forms from councillors
 - vii) retain a copy of every councillor's register of interests
 - viii) assist with responding to requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the council's policies and procedures relating to the same
 - ix) receive and send general correspondence and notices on behalf of the council except where there is a resolution to the contrary

- x) manage the organisation, storage of, access to and destruction of information held by the council in paper and electronic form
- xi) arrange for legal deeds to be executed
- xii) arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the council in accordance with the council's financial regulations
- xiii) record every planning application notified to the council and the council's response to the local planning authority in a book for such purpose
- xiv) refer a planning application received by the council to the Chairman or in his absence the Vice-Chairman of the Council within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the council
- xv) manage access to information about the council via the council website

8 ACCOUNTS AND ACCOUNTING STATEMENTS

- a. "Proper practices" in standing orders refer to the most recent version of [Governance and Accountability for Local Councils – a Practitioners' Guide.
- b. All payments by the council shall be authorised, approved and paid in accordance with the law, proper practices and the council's financial regulations.
- c. The Responsible Financial Officer shall supply to each councillor at each meeting a statement to summarise:
 - i) the council's receipts and payments since the previous meeting.
 - ii) the council's aggregate receipts and payments for the year to date;
 - iii) the balances held at the time of the meeting.

and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- d. The yearend accounting statements shall be prepared in accordance with proper practices and applying the form of accounts determined by the council (receipts and payments, or income and expenditure) for a year to 31 March. The annual return of the council, which is subject to external audit, including the annual governance statement, shall be presented to council for consideration and formal approval at the May meeting.

9 FINANCIAL CONTROLS AND PROCUREMENT

- a. The council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - i) the keeping of accounting records and systems of internal controls;
 - ii) the assessment and management of financial risks faced by the council;
 - iii) the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
 - iv) the inspection and copying by councillors and local electors of the council's accounts and/or orders of payments; and
 - v) procurement policies for contracts of all levels and requirements under the Public Contract Regulations 2015.
- b. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c. Financial regulations shall confirm that a proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £25,000 shall satisfy the requirements of the Public Contract Regulations 2015 and will be procured on the basis of a formal tender as summarised in standing order 18(d) below. The council will advertise the contract opportunity on the Contract Finder website.
- d. Subject to additional requirements in the financial regulations of the council, the tender process for contracts for the supply of goods, materials, 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 (i) the council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
 - iii) the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
 - iv) tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
 - v) tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
 - vi) tenders are to be reported to and considered by the appropriate meeting of the council or a committee or sub-committee with delegated responsibility.
- e. The council is not bound to accept the lowest value tender.

10 REQUESTS FOR INFORMATION

- a. Requests for information held by the council shall be handled in accordance with the council's policy in respect of handling requests under the Freedom of Information Act 2000 and the Data Protection Act 1998.

11 EXECUTION AND SEALING OF LEGAL DEEDS

- a. A legal deed shall not be executed on behalf of the council unless authorised by a resolution.
- b. Any two councillors may sign, on behalf of the council, any deed required by law and the Proper Officer shall witness their signatures.

12 COMMUNICATING WITH DISTRICT AND COUNTY OR UNITARY COUNCILLORS

- a. An invitation to attend a meeting of the council shall be sent, together with the agenda, by email to the ward councillor(s) of the North Lincolnshire Council.

13 RESTRICTIONS ON COUNCILLOR ACTIVITIES

- a. Unless authorised by a resolution, no councillor shall:
 - i) inspect any land and/or premises which the council has a right or duty to inspect
 - ii) issue orders, instructions or directions

14 STANDING ORDERS GENERALLY

- a. All or part of a standing order, except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b. A motion to add to or vary or revoke one or more of the council's standing orders, except one that incorporates mandatory statutory requirements, shall be proposed by a special motion, the written notice by at least 2 councillors to be given to the Proper Officer.
- c. The Proper Officer shall provide a copy of the council's standing orders to a councillor as soon as possible after he has delivered his acceptance of office form.
- d. The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.

Note: Standing Orders printed in bold reflect mandatory statutory requirements.