

# **Welton Parish Council Standing Orders**

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# Index of standing orders

Standing order		Page	Standing order		Page
1	Meetings	3	20	Estimates/precepts	31
2	Annual Council meetings	6	21	Canvassing of and recommendations by councillors	32
3	Proper Officer	9			
4	Motions requiring written notice	11	22	Inspection of documents	33
5	Motions not requiring written notice	12	23	Unauthorised activities	34
6	Rules of debate	14	24	Confidential business	35
7	Code of conduct (England & Wales)	17	25	General Power of Competence	36
8	Questions	19	26	Matters affecting council employees	37
9	Minutes	20			
10	Disorderly conduct	21	27	Freedom of Information Act 2000	39
11	Rescission of previous resolutions	22	28	Relations with the press/media	40
12	Voting on appointments	23	29	Liaison with County, District and Unitary Councillors	41
13	Expenditure	24			
14	Execution & sealing of legal deeds	25	30	Financial matters	42
15	Committees	26	31	Variation, revocation and suspension of standing orders	44
16	Sub-committees	27	32	Standing orders to be given to councillors	45
17	Extraordinary meetings	28			
18	Advisory committees	29			
19	Accounts and Financial Statement	30			

# 1 Meetings

- Mandatory for full Council meetings ●
- Mandatory for committee meetings ●
- Mandatory for sub-committee meetings ●

- a Any reference in these Standing Orders to the Masculine Gender shall also be taken to include the Feminine and any reference to the Feminine shall be taken to also include the Masculine
- b **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.**
- c **3 clear days notice of a council, committee or sub committee meeting shall be given. When calculating the 3 clear days for notice of a meeting to councillors and the public, 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 shall not count.**
- d **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.**
- e **Meetings of the full council shall ordinarily take place on the Third Tuesday of every month at the Welton Village Memorial Hall. The start time shall ordinarily be 7pm unless the council decides otherwise, in which case the council shall give reasons.**
- f Subject to standing order 1(d) above, members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included in the agenda.
- g The period of time set for Public Participation shall be at the discretion of the Chairman of the meeting.

- h Each member of the public may speak for a maximum period of 5 minutes. The Chairman may grant an extension to this period at his/her discretion.
- i A question asked by a member of the public during a public participation session at a meeting shall not require a response nor debate.
- j In accordance with standing order 1(g) above, the Chairman may direct that a response to a question posed by a member of the public be referred to a Councillor for an oral response or to the clerk for a written or oral response.
- k A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- l Any person speaking at a meeting shall address comments to the Chairman.
- m Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chairman shall direct the order of speaking.
-   n **Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means can take place subject to the Council's Recording of Meetings Policy**
-   o **The press shall be provided reasonable facilities for all or part of a meeting at which they are entitled to be present.**
-  p **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman may in his absence be done by, to or before the Vice-Chairman (if any).**
-  q **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 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.**
-    r **Subject to standing order 1 (y) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.**

- s    **The Chairman 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. (See also standing orders 2 (i) and (j) below.)**
  
- t    **Unless standing orders provide otherwise, voting on any 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.
  
- u    **The minutes of a meeting shall record the names of councillors present and the names of those who have given prior apology for their absence together with any reason ( if known)**
  
- v    If prior to a meeting, a Councillor has submitted reasons for his absence at the meeting which is then approved by a resolution, such resolution shall be recorded in the minutes of the meeting at which the approval was given.
  
- w    **The code of conduct adopted by the Council shall apply to councillors in respect of the entire meeting.**
  
- x    **An interest arising from the code of conduct adopted by the Council, the existence and nature of which is required to be disclosed by a Councillor at a meeting shall be recorded in the minutes. (See also standing orders 7 and 8 below.)**
  
- y    **No business may be transacted at a full council 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 4.**
  
- z    **If a meeting is or becomes inquorate no business shall be transacted** and the meeting shall be adjourned. Any outstanding business of a meeting so adjourned shall be transacted at a following meeting. Business already transacted while the meeting was quorate shall stand.
  
- aa    Meetings shall not exceed a period of 3 hours.

## **2 Annual 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 such day in May as the Council may direct.**
- c The annual meeting will take place at 7pm on the designated day or at such other time as the council shall decide save that the meeting shall never take place earlier than 6pm.**
- d In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council directs.**
- e The election of the Chairman and Vice-Chairman (if any) of the Council shall be the first business completed at the annual meeting 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, if any, 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 (if any) of the Council at the annual meeting of the Council, the order of business shall be as follows.
- i. In an election year, delivery by councillors of their declarations of acceptance of office.
  - ii. To receive apologies and declarations of interest.
  - iii. Confirmation of the accuracy of the minutes of the last meeting of the Council and to receive and note minutes of and/or to determine recommendations made by committees.
  - iv. Review of delegation arrangements to committees, sub-committees, employees and other local authorities.
  - v. Review of the terms of references for committees.
  - vi. Receipt of nominations to existing committees.
  - vii. Appointment of any new committees, confirmation of the terms of reference, the number of members (including, if appropriate, substitute councillors) and receipt of nominations to them.
  - viii. Review and adoption of appropriate standing orders and financial regulations in accordance with the current standing orders.
  - ix. Review of arrangements, including any charters, with other local authorities and review of contributions made to expenditure incurred by other local authorities.
  - x. Review of representation on or work with external bodies and arrangements for reporting back.
  - xi. Review of inventory of land and assets including buildings and office equipment.
  - xii. Review and confirmation of arrangements for insurance cover in respect of all insured risks.
  - xiii. Review of the Council's and/or employees' memberships of other bodies.
  - xiv. Establishing or reviewing the Council's complaints procedure.
  - xv. Establishing or reviewing the Council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998.
  - xvi. Establishing or reviewing the Council's policy for dealing with the press/media
  - xvii. Setting the dates, times and place of ordinary meetings of the full Council for the year ahead.
- k Following conclusion of the annual meeting an ordinary meeting of the council shall take place (unless the council decides otherwise) and the order of business, unless the council otherwise decides on the ground of urgency shall be as follows:
- i. 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
  - ii. After consideration, to approve the signature of the minutes by the person

presiding as a correct record

- iii. To deal with business expressly required by statute to be done
- iv. To dispose of business, if any, remaining from the last meeting.
- v. To receive such communications as the person presiding may wish to lay before the council.
- vi. To answer questions from councillors
- vii. To receive and consider reports from Committees
- viii. To receive and consider reports from officers of the Council
- ix. To authorise the signature of documents
- x. If necessary, to authorise the signing of orders for payment.
- xi. To receive and consider resolutions or recommendations in the order in which they have been notified
- xii. Any other business specified in the summons



### 3 Proper Officer

- a The Council's Proper Officer shall be either (i) the clerk or such other employee as may be nominated by the Council from time to time or (ii) such other employee appointed by the Council to undertake the role of the Proper Officer during the Proper Officer's absence. The Proper Officer and the employee appointed to act as such during the Proper Officer's absence shall fulfil the duties assigned to the Proper Officer in standing orders.
- b The Council's Proper Officer shall do the following.
- i. Upon the Council having first resolved that service of summons on councillors confirming the time, date, venue and the agenda for a meeting by delivery or post at their residences at least 3 clear days before a meeting is not expedient, electronically serve on councillors ,at their designated email address, a summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee and a sub-committee at least 3 clear days before the meeting provided any such email contains the electronic signature and title of the Proper Officer
  - ii. **Give public notice of the time, date, venue and agenda at least 3 clear days before a meeting of the Council or a meeting of a committee or a sub-committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**
  - iii. Subject to standing orders 4(a)–(e) below, include in the agenda all motions in the order received unless a councillor has given written notice at least 5 days before the meeting confirming his withdrawal of it.
  - iv. **Convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office, in accordance with standing order [3(b)i] OR [3(b)ii] above.**
  - v. Make available for inspection the minutes of meetings.
  - vi. **Receive and retain copies of byelaws made by other local authorities.**
  - vii. **Receive and retain declarations of acceptance of office from councillors.**
  - viii. Retain a copy of every councillor's register of interests and any changes to it and keep copies of the same available for inspection.
  - ix. Keep proper records required before and after meetings;
  - x. Process all requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council's procedures relating to the same.
  - xi. Receive and send general correspondence and notices on behalf of the Council

except where there is a resolution to the contrary.

- xii. Manage the organisation, storage of and access to information held by the Council in paper and electronic form.
- xiii. Arrange for legal deeds to be signed by 2 councillors and witnessed
- xiv. Arrange for the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations.
- xv. To bring promptly to the councils attention and gain auothorisation for all payments received
- xvi. Record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
- xvii. Refer a planning application received by the Council to the Chairman or in his absence Vice-Chairman (if any) of the Planning Committee or the Council within 2 working days of receipt to facilitate an extraordinary meeting of either the planning committee or the council if the nature of a planning application requires consideration before the next ordinary meeting of the Planning committee. or of the Council
- xviii. Retain custody of the seal of the Council (if any) which shall not be used without a resolution to that effect.
- xix. Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.

## 4 Motions requiring written notice

- a In accordance with standing order 3(b) (iii) above, no motion may be moved at a meeting unless it is included in the agenda and the mover has given written notice of its wording to the Council's Proper Officer at least 5 clear days before the next meeting.
- b The Proper Officer may, before including a motion in the agenda received in accordance with standing order 4(a) above, correct obvious grammatical or typographical errors in the wording of the motion.
- c If the Proper Officer considers the wording of a motion received in accordance with standing order 4(a) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer in clear and certain language at least 5 clear days before the meeting.
- d If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Chairman of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to consider whether the motion shall be included or rejected in the agenda.
- e Having consulted the Chairman or councillors pursuant to standing order 4(d) above, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.
- f Notice of every motion received in accordance with the Council's standing orders shall be numbered in the order received and shall be entered in a book, which shall be open to inspection by all councillors.
- g Every motion rejected in accordance with the Council's standing orders shall be duly recorded with a note by the Proper Officer giving reasons for its rejection in a book for that purpose, which shall be open to inspection by all councillors.
- h Every motion and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area or its residents.

## 5 Motions not requiring written notice

- a Motions in respect of the following matters may be moved without written notice.
- i. To appoint a person to preside at a meeting.
  - ii. To approve the absences of councillors.
  - iii. To approve the accuracy of the minutes of the previous meeting.
  - iv. To correct an inaccuracy in the minutes of the previous meeting.
  - v. To dispose of business, if any, remaining from the last meeting.
  - vi. To alter the order of business on the agenda for reasons of urgency or expedience.
  - vii. To proceed to the next business on the agenda.
  - viii. To close or adjourn debate.
  - ix. To refer by formal delegation a matter to a committee or to a sub-committee or an employee.
  - x. To appoint a committee or sub-committee or any councillors (including substitutes) thereto.
  - xi. To receive nominations to a committee or sub-committee.
  - xii. To dissolve a committee or sub-committee.
  - xiii. To note the minutes of a meeting of a committee or sub-committee.
  - xiv. To consider a report and/or recommendations made by a committee or a sub-committee or an employee.
  - xv. To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
  - xvi. To authorise legal deeds [to be sealed by the Council's common seal] OR [signed by two councillors] and witnessed.  
*(See standing orders 14(a) and (b) below.)*
  - xvii. To authorise the payment of monies up to £ 1000 in order to progress any matter which is on the agenda for discussion only
  - xviii. To amend a motion relevant to the original or substantive motion under consideration. This shall not have the effect of nullifying it:
  - xix. To extend the time limit for speeches.
  - xx. To exclude the press and public for all or part of a meeting.
  - xxi. To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
  - xxii. To give the consent of the Council if such consent is required by standing orders.
  - xxiii. To suspend any standing order except those which are mandatory by law**
  - xxiv. To adjourn the meeting.
  - xxv. To appoint representatives to outside bodies and to make arrangements for those

representatives to report back the activities of outside bodies.

xxvi. To answer questions from councillors.

xxvii. To suspend the meeting

- b If a motion falls within the terms of reference of a committee or sub-committee or within the delegated powers conferred on an employee, a referral of the same may be made to such committee or sub-committee or employee provided that the Chairman may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

## 6 Rules of debate

- a Motions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Chairman's direction for reasons of expedience.
- b Subject to standing orders 4(a)–(e) above, a motion shall not be considered unless it has been proposed and seconded.
- c Subject to standing order 3(b) (iii) above, a motion included in an agenda not moved by the councillor who tabled it, may be treated as withdrawn.
- d A motion to amend an original or substantive motion shall not be considered unless proper notice has been given after the original or substantive motion has been seconded and notice of such amendment, shall, if required by the Chairman, be reduced to writing and handed to the Chairman who shall determine the order in which they are considered.
- e A Councillor may move amendments to his own motion. If a motion has already been seconded, an amendment to it shall be with the consent of the seconder.
- f Any amendment to a motion shall be either:
  - i. to leave out words;
  - ii. to add words;
  - iii. To leave out words and add other words.
- g A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration.
- h Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman. No further amendment to a motion shall be moved until the previous amendment has been disposed of.
- i Subject to Standing Order 6(h) above, one or more amendments may be discussed together if the Chairman considers this expedient but shall be voted upon separately.
- j Pursuant to standing order 6(h) above, the number of amendments to an original or substantive motion, which may be moved by a councillor, is limited to one.

- k If an amendment is not carried, other amendments shall be moved in the order directed by the Chairman.
- l If an amendment is carried, the original motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.
- m The mover of a motion or the mover of an amendment shall have a right of reply, not exceeding 5 minutes.
- n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply in respect of the substantive motion at the very end of debate and immediately before it is put to the vote.
- o Subject to standing orders 6(m) and (n) above, a councillor may not speak further in respect of any one motion except to speak once on an amendment moved by another councillor or to make a point of order or to give a personal explanation.
- p During the debate of a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A Councillor raising a point of order shall identify the standing order which he considers has been breached or specify the irregularity in the meeting which has raised his concern..
- q A point of order shall be decided by the Chairman and his decision shall be final.
- r With the consent of the seconder and/or of the meeting, a motion or amendment may be withdrawn by the proposer. A councillor shall not speak upon the said motion or amendment unless permission for the withdrawal of the motion or amendment has been refused.
- s Subject to standing order 6(o) above, when a councillor's motion is under debate no other motion shall be moved except:
- i. to amend the motion;
  - ii. to proceed to the next business;
  - iii. to adjourn the debate;
  - iv. to put the motion to a vote;
  - v. to ask a person to be silent or for him to leave the meeting;
  - vi. to refer a motion to a committee or sub-committee for consideration;
  - vii. to exclude the public and press;

- viii. to adjourn the meeting;
- ix. to suspend any standing order, except those which are mandatory.

t In respect of standing order 6(s) (iv) above, the Chairman shall first be satisfied that the motion has been sufficiently debated before it is put to the vote. The Chairman shall call upon the mover of the motion under debate to exercise or waive his right of reply and shall put the motion to the vote after that right has been exercised or waived. The adjournment of a debate or of the meeting shall not prejudice the mover's right of reply at the resumption.



## 7 Code of conduct (England)

*See also standing orders 1(d)–(i) above*

- a **All councillors shall observe the code of conduct adopted by the Council. A copy of the code of conduct shall be provided to each councillor. A copy of the code of conduct shall be annexed to these standing orders.**
  
- b **If paragraph 12(2) of the code of conduct contained in the Local Authorities (Model Code of Conduct) Order 2007 (SI No.1159) has been adopted by the Council or pursuant to relevant provisions in a statutory code of conduct in force at the time, councillors may exercise the rights contained in standing order 7(d) below only if members of the public are permitted to (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted.**
  
- c A councillor or co-opted person (within the meaning of the Localism Act 2011, section 27[4]) who has a pecuniary interest or disclosable pecuniary interest in any business to be discussed at a meeting of the council or any of its committees or sub-committees, and is present at the meeting at which that business is to be discussed, must disclose at that meeting the existence of the interest.
  
- d any councillor disclosing an interest pursuant to this Standing Order must not seek to improperly influence a decision about the business under consideration
  
- e **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required
  
- f A decision as to whether to grant a dispensation shall be made by the Proper Officer and that decision is final.
  
- g 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
  
- h Subject to standing orders 7(e) and (g) above, dispensations requests 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

- i A dispensation may be granted in accordance with standing order 7(f) above if having regard to all relevant circumstances the following applies:**
  - i. without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business or**
  - ii. granting the dispensation is in the interests of persons living in the council's area or**
  - iii. it is otherwise appropriate to grant a dispensation**

## 8 Questions

- a A councillor may seek an answer to a question concerning any business of the Council provided 2 clear days notice of the question has been given to the Proper Officer.
- b Questions not related to items of business on the agenda for a meeting shall only be asked during the part of the meeting set aside for such questions.
- c Every question shall be put and answered without discussion.

## 9 Minutes

- a If a copy of the draft minutes of a preceding meeting has been circulated to councillors no later than the day of service of the summons to attend the scheduled meeting they shall be taken as read.
- b No discussion of the draft minutes of a preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the minutes shall be raised in accordance with standing order 5(a) (iv) above.
- c Minutes, including any amendment to correct their accuracy, 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 majority of the ( ) and the minutes are confirmed as an accurate record of the proceedings.”
- e Upon a resolution which confirms the accuracy of the minutes of a meeting, any previous draft minutes or recordings of the meeting shall be destroyed.

## 10 Disorderly conduct

- a No person including the chairman shall obstruct the transaction of business at a meeting or behave offensively or improperly.
- b If, in the opinion of the Chairman, there has been a breach of standing order 10(a) above, the Chairman shall express that opinion and thereafter any councillor (including the Chairman) may move that the person be silenced or excluded from the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
- c If a resolution made in accordance with standing order 10(b) above, is disobeyed, the Chairman may take such further steps as may reasonably be necessary to enforce it and/or he may adjourn the meeting.

# 11 Rescission of previous resolutions

- a A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months except either by a special motion, the written notice whereof bears the names of at least 3 councillors of the Council, or by a motion moved in pursuance of the report or recommendation of a committee.
  
- b When a special motion or any other motion moved pursuant to standing order 11(a) above has been disposed of, no similar motion may be moved within a further 6 months.

## 12 Voting on appointments

- a Where more than 2 persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. Any tie may be settled by the Chairman's casting vote.

## 13 Expenditure

- a Any expenditure incurred by the Council shall be in accordance with the Council's financial regulations.
- b **The Council's financial regulations shall be reviewed once a year.**
- c **The Council's financial regulations may make provision for the authorisation of the payment of money in exercise of any of the Council's functions to be delegated to a committee, sub-committee or to an employee.**



## 14 Execution and sealing of legal deeds

- a A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.
  
- b In accordance with a resolution made under standing order 14(a) above, any two members of the Council, may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures**

# 15 Committees

*See also standing order 1 above*

- a The Council may, at its annual meeting, appoint standing committees and may at any other time appoint such other committees as may be necessary, and:
  - i. shall determine their terms of reference;
  - ii. may permit committees to determine the dates of their meetings;
  - iii. shall appoint and determine the term of office of councillor or non-councillor members of such a committee (unless the appointment of non-councillors is prohibited by law) so as to hold office no later than the next annual meeting;
  - iv. may appoint substitute councillors to a committee whose role is to replace ordinary councillors at a meeting of a committee if ordinary councillors of the committee have confirmed to the Proper Officer 3 days before the meeting that they are unable to attend;
  - v. an ordinary member of a committee who has been replaced at a meeting by a substitute member (in accordance with standing order 15(a)(iv) above) shall not be permitted to participate in debate or vote on business at that meeting and may only speak during any public participation session during the meeting;
  - vi. may in accordance with standing orders, dissolve a committee at any time.
  - vii. The Chairman of the Council shall be a member of all Council Committees except Personnel.
  - viii. The Vice Chairman of the Council shall be a member of all Council Committees.
  - ix. The quorum for a committee shall be in all cases 3.

## 16 Sub-committees

*See also standing order 1 above*

- a Unless there is a Council resolution to the contrary, every committee may appoint a sub-committee whose terms of reference and members shall be determined by resolution of the committee.
  
- b The quorum for a sub-committee shall in all cases be 3.

# 17 Extraordinary meetings

*See also standing order 1 above*

- 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 7 days of having been requested to do so by two councillors, those two councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two councillors.**
  
- c The Chairman of a committee (or a sub-committee) may convene an extraordinary meeting of the committee or sub-committee at any time.
  
- d If the Chairman of a committee (or a sub-committee) does not or refuses to call an extraordinary meeting within 7 days of having been requested by to do so by 2 councillors, those 2 councillors may convene an extraordinary meeting of a committee (or a sub-committee). The statutory public notice giving the time, venue and agenda for such a meeting must be signed by 2 councillors.

## 18 Advisory committees

*See also standing order 1 above*

- a The Council may appoint advisory committees comprised of a number of councillors and non-councillors.
- b Advisory committees and any sub-committees may consist wholly of persons who are non-councillors.

## **19 Accounts and Financial Statement**

- a All payments by the Council shall be authorised, approved and paid in accordance with the Council's financial regulations, which shall be reviewed at least annually.

## 20 Estimates/precepts

- a **The Council shall approve written estimates for the coming financial year** at its meeting before the end of January.
  
- b Any committee desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year no later than December.

## 21 Canvassing of and recommendations by councillors

- a Canvassing of councillors or the members of a committee or sub-committee, directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such an appointment. The Proper Officer shall disclose the requirements of this standing order to every candidate.
  
- b A councillor or a member of a committee or sub-committee shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for promotion; but, nevertheless, any such person may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
  
- c This standing order shall apply to tenders as if the person making the tender were a candidate for an appointment.



## 22 Inspection of documents

- a Subject to standing orders to the contrary or in respect of matters which are confidential, a councillor may, for the purpose of his official duties (but not otherwise), inspect any document in the possession of the Council or a committee or a sub-committee, and request a copy for the same purpose. The minutes of meetings of the Council, its committees or sub-committees shall be available for inspection by councillors.

## 23 Unauthorised activities

- a Unless authorised by a resolution, no individual councillor shall in the name or on behalf of the Council, a committee or a sub-committee:
  - i. inspect any land and/or premises which the Council has a right or duty to inspect; or
  - ii. issue orders, instructions or directions.

## **24 Confidential business**

- a Councillors shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature.
  
- b A councillor in breach of the provisions of standing order 24(a) above may be removed from a committee or a sub-committee by a resolution of the Council.

## **25 General Power of Competence (England)**

- a** Before exercising the general power of competence, a meeting of the full Council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria required to qualify as an eligible parish council.
  
- b** The Council's period of eligibility begins on the date that the resolution under standing order 25 (a) above was made and expires on the day before the annual meeting of the Council that takes place in a year of ordinary elections.
  
- c** After the expiry of its preceding period of eligibility, the Council continues to be an eligible council solely for the purpose of completing any activity undertaken in the exercise of the power to promote well-being which was not completed before the expiry of the Council's preceding period of eligibility referred to in standing order 25(b) above.

## 26 Matters affecting council employees

- a If a meeting considers any matter personal to a Council employee, it shall not be considered until the Council, Committee or Sub Committee has decided whether or not the press and public shall be excluded pursuant to standing order 1(c) above.
- b Subject to the Council's policy regarding absences from work, the Clerk shall notify the Chairman of any absence occasioned by illness or urgency and that person shall report such absence to the Council at its next meeting.
- c The Chairman or in his absence, the Vice-Chairman shall upon a resolution conduct a review of the performance and/or appraisal of Clerk and shall keep a written record of it. The review and/or appraisal shall be reported back and shall be subject to approval by resolution by Council
- d Subject to the Council's policy regarding the handling of grievance matters, the Clerk shall contact the Chairman or in his absence, the Vice-Chairman of the Council in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of Council
- e Subject to the Council's policy regarding the handling of grievance and disciplinary matters, if an informal or formal grievance matter raised by Clerk relates to the Chairman or Vice-Chairman of the Council or of any Committee or Sub-Committee this shall be communicated to another member of the Council which shall be reported back and progressed by resolution of the Council
- f Any persons responsible for all or part of the management of Council employees shall keep written records of all meetings relating to their performance, and capabilities, grievance and disciplinary matters.
- g The Council shall keep written records relating to employees secure. All paper records shall be secured under lock and electronic records shall be password protected.
- h Records documenting reasons for an employee's absence due to ill health or details of a medical condition shall be made available only to those persons with responsibility for the same.
- i Access and means of access by keys and/or computer passwords to records of

employment referred to in standing orders 26(g) and (h) above shall be provided only to the Clerk and/or the Chairman of the Council

## **27 Freedom of Information Act 2000**

- a All requests for information held by the Council shall be processed in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000.
  
- b Correspondence from, and notices served by, the Information Commissioner shall be referred by the Clerk to the chairman of the Council

## **28 Relations with the press/media**

- a All requests from the press or other media for an oral or written statement or comment from the Council shall be dealt with by the Chairman of the Council or the Clerk.
  
- b Subject to 28 a above councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media. unless authorised by the Council



## **29 Liaison with District and County or Unitary Councillors**

- a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the councillor of the Unitary Council representing its electoral ward.

## 30 Financial matters

- a The Council shall consider and approve financial regulations drawn up by the Finance & Policy Working Party, which shall include detailed arrangements in respect of the following:
- i. the accounting records and systems of internal control;
  - ii. the assessment and management of financial risks faced by the Council;
  - iii. the work of the Internal Auditor 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;
  - v. Procurement policies (subject to standing order 30(b) below) including the setting of values for different procedures where the contract has an estimated value of less than £25,000.
  - vi. The appointment of the internal auditor.
- b **Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £10,000 shall be procured on the basis of a formal tender as summarised in standing order 30(d) below.**
- 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 30(d) below. The council will advertise the contract opportunity on the Contract Finder website.
- d Any formal tender process shall comprise the following steps:
- i. a public notice of intention to place a contract to be placed in a local newspaper;
  - ii. a specification of the goods, materials, services and the execution of works shall be drawn up;
  - iii. 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;
  - iv. tenders are to be sent, in a plain sealed marked envelope, for the attention of the Proper Officer or designated contact by a stated date and time;
  - v. tenders submitted are to be opened, after the stated closing date and time, by the Proper Officer and at least one member of the Council;

- vi. tenders are then to be assessed and reported to the appropriate meeting of Council or Committee.
  
- e Neither the Council, nor any committee, is bound to accept the lowest tender, estimate or quote.
  
- f Where the value of a contract is likely to exceed £172,514 (or other threshold specified by the Office of Government Commerce from time to time) the council must comply with the Public Contracts Regulations 2015 and where applicable, the Utilities Contracts Regulations 2006 (SI No. 6, as amended). If the Regulations apply to the contract the council must comply with EU procurement rules.**

## **31 Variation, revocation and suspension of standing orders**

- a Any or every part of the standing orders, except those which are mandatory by law, may be suspended by resolution in relation to any specific item of business.
- b A motion to add or vary or revoke one or more of the Council's standing orders, not mandatory by law, shall be proposed by a motion, the written notice of whereof bears the names of at least 2 councillors.
- c Any such motion shall ( subject to paragraph d below) comply with the rules set out in paragraph 4 (a) –(f) above.
- d Any such motion shall be served on the clerk not later than 7 days prior to the council meeting at which the motion is to be considered.

## **32 Standing orders to be given to councillors**

- a The Clerk shall provide all councillors with a copy of these Standing Orders and shall make them available for download from the Councils website.
- b The Chairman's decision as to the application of standing orders at meetings shall be final.
- c A councillor's failure to observe standing orders more than 3 times in one meeting may result in his being excluded from the meeting in accordance with standing orders.

# Appendix 1

## Code of Conduct Adopted by Welton Parish Council August 2012

### EAST RIDING OF YORKSHIRE COUNCIL MEMBER CODE OF CONDUCT

#### (1) Introduction and Interpretation

- (1) This Code applies to you as a Member of this authority when you act in your role as a Member and it is your responsibility to comply with the provisions of this Code.
- (2) You are a representative of this authority and the public will view you as such therefore your actions impact on how the authority as a whole is viewed and your actions can have both a positive and negative impact on the authority.
- (3) The public expect Members to act in an open and transparent manner.
- (4) In this Code -

‘**Meeting**’ means any meeting of:-

- (a) The authority;
- (b) The executive of the authority;
- (c) Any of the authority’s, or its Executive’s, committees, sub-committees, joint committees joint sub-committees or area committees;

‘**Member**’ includes all Members and co-opted and appointed Members of the authority.

‘**Family**’ means Spouse, Civil partner, any person with whom you are living as a Spouse or Civil Partner, parent, grandparent, child, grandchild or sibling.

#### (2) General Obligations

- (1) You must treat others with respect.
- (2) You must not bully any person.
- (3) You must not conduct yourself in a manner that could reasonably be regarded as bringing your office or authority into disrepute.
- (4) You must not disclose information given to you in confidence by any one or information acquired by you which you believe, or ought to be aware, is of a confidential nature, except where :-
  - (1) You have the consent of the person authorised to give it;
  - (2) You are required by law to do so;
  - (3) Disclosure is to made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or
  - (4) The disclosure is:-

- (a) Reasonable in the public interest; and
  - (b) Made in good faith and in compliance with the reasonable requirements of the authority; and
  - (c) You have consulted the Monitoring Officer prior to its release.
- (5) You must not prevent another person from gaining access to information to which that person is entitled by law.
- (6) You must not use or attempt to use your position as a Member improperly to confer on or secure for yourself or any other person an advantage or disadvantage.
- (7) When using or authorising the use by others of the resources of the authority you must:-
- (1) Act in accordance with the authority's reasonable requirements.
  - (2) Ensure that such resources are not used improperly for political purposes (including party political purposes).
  - (3) Have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

### **(3) Registration of Interests**

- (1) You must before the end of 28 days beginning on the day on which you become a Member of the authority or within 28 days of any change in an interest or becoming aware of any new interest notify the Monitoring Officer of:
- (i) The following **Pecuniary Interests** of yourself, your spouse or civil partner, any person with whom you are living as husband or wife or any person with whom you are living as if they were a civil partner:
    - (a) Any employment, office, trade, profession or vocation carried on for profit or gain.
    - (b) Any payment or provision of any other financial benefit (other than from the authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a Member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
    - (c) Any contract which is made between any of the above named persons (or a body in which any of the above named persons have a beneficial interest) and the authority under which goods or services are to be provided or works are to be executed, and which has not been fully discharged.
    - (d) Any beneficial interest in land which is within the area of the authority.
    - (e) Any licence (alone or jointly with others) to occupy land in the area of the authority for a month or longer.

- (f) Any tenancy where (to your knowledge) the landlord is the authority and the tenant is a body in which any of the above named persons have a beneficial interest.
  - (g) Any beneficial interest in securities of a body where that body (to your knowledge) has a place of business or land in the area of the authority; and either the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which any of the above named persons has a beneficial interest exceeds one hundredth of the total issued share capital of that class.
- (ii) The following **Non-Pecuniary** interests of yourself:
- (a) Bodies to which you are appointed or nominated by the authority (ie outside body appointments).
  - (b) Bodies exercising functions of a public nature of which you are a Member (including regional and local development agencies, other (parish) councils, public health bodies, school governing bodies).
  - (c) Bodies directed to charitable purposes of which you are a Member (including the Lions, the Masons, a Parochial Church Council; not just bodies registered with the Charity Commission).
  - (d) Bodies whose principal purposes include influence of public opinion of policy (including any political party or trade union) of which you are a Member.
  - (e) Any voluntary work undertaken by you.
  - (f) Any person from whom you received in your capacity as a Member a gift or hospitality that amounts to the value of at least £25.
  - (g) Any person employed by the authority who is a member of your family.
- (2) You need only notify the Monitoring Officer of any interests of which you are aware pursuant to paragraph (3) (1) above.
- (3) Where you become a Member of the authority as a result of a re-election or re-appointment you only need to disclose interests not already entered on the register.
- (4) Where the nature of the interest is such that you consider that the disclosure of the interest could lead to you or a person connected with you being subject to violence or intimidation, (and the Monitoring Officer agrees) details of the interests will not be included in any published version of the register of interests save that the register will state you have an interest the details of which are withheld under section 32(2) of the Localism Act 2011.



**(4) Non - Pecuniary Interests**

- (1) You have a non pecuniary interest in any business of the authority where either it is likely to affect any of the bodies listed in paragraph 3(1)(ii) of the Code or, the decision in relation to that business might reasonably be regarded as affecting your well being, or financial position, or the well being or financial position of a relevant person to a greater extent than the majority of other Council tax payers, rate payers or inhabitants of the Ward affected by the decision.
- (2) A relevant person is:-
  - (a) A member of your family or any person with whom you have a close association, or
  - (b) A person or body who employs or has appointed such persons any firm of which they are a partner or any company of which they are Directors.
- (3) Where you have a non-pecuniary interest in any business of the authority and you attend a meeting of the authority at which that business is considered you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration or when the interest becomes apparent.
- (4) Sub paragraph (3) only applies where you are aware or ought reasonably to be aware of the existence of the interest.
- (5) Where you have an interest but by virtue of paragraph 3(4) it is not registered in the authority's register of interests you must indicate you have a non-pecuniary interest but need not disclose the sensitive information to the meeting.

**(5) Pecuniary Interests**

- (1) You have a pecuniary interest in any business of the authority where you, your spouse or civil partner, any person with whom you are living as husband or wife or any person with whom you are living as if they were a civil partner have an interest that falls within sub paragraph (3)(1)(i) above.

**(6) Effect of Pecuniary Interest on participation**

- (1) Where you have a pecuniary interest in any business of the authority and you attend a meeting at which the business is considered you must then:-
  - (a) Disclose the existence and nature of that interest at the commencement of that consideration or when the interest becomes apparent, subject to sub-paragraph (c) below.
  - (b) Retire to the public gallery of the room or Chamber where the meeting considering the business is being held.
  - (c) If the pecuniary interest is a sensitive interest as set out in sub-paragraph (3)(4) above you need only disclose the fact that you have a pecuniary interest.