

# Churt Parish Council

## STANDING ORDERS

2022-2023

These Standing Orders govern the conduct of Council business and may only be amended or varied by resolution of the Council. Statutory items are in bold print. Last revised, minuted and adopted at the meeting of the Council on **23 Nov 2022**

### Meetings

1. In an election year the statutory Annual Meeting shall be held on or within 14 days of the day on which the elected Councillors take office. In any other year the Annual Meeting shall be held on such a day in May, as the Council shall determine.
2. In addition to the Annual Meeting not less than three other meetings shall be held on such days as the Council may determine.
3. Meetings of the Council are held in Churt Pavilion on the third Wednesday of the month at 7:30 p.m. unless the Council otherwise decides.
4. The Chairman of the Council may call an extraordinary Council meeting at any time. In the absence of the Chairman the Vice-Chairman may call an extraordinary meeting. If the Chairman refuses or neglects to call an extraordinary meeting for seven days after a signed requisition to do so has been received from two members of the Council, any two members of the Council may convene an extraordinary meeting. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two councillors.
5. 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.

### Summons and Agenda

6. The summons to attend a meeting of the Council and of its Committees, specifying the business to be transacted and signed by the proper officer of the Council shall be posted on the parish notice board and sent by post or e-mail or left at the usual residence of every member of the Council so that it is received at least three clear days before the meeting. 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. Notice of a meeting called by members of the Council shall be signed by them and shall specify the business to be transacted at the meeting.

7. A member wishing to have an item included in the agenda must notify the Clerk at least ten clear days before the meeting.

8. The non-receipt of any summons to attend a meeting by any member of the Parish Council shall not affect the validity of the meeting.

#### Code of Conduct

9. The code of conduct adopted by the Council shall apply to councillors in respect of the entire meeting.

10. 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.

11. Councillors with a Disclosable Pecuniary Interest (DPI) in relation to any item of business being transacted at a meeting may (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted but only if members of the public are afforded the same opportunity. Councillors must thereafter leave the room.

#### Chairman of the Meeting

12. At a meeting of the Parish Council the Chairman of the Council, if present, shall preside. In the absence of the Chairman of the Council the Vice-Chairman shall, if present, preside. In the absence of both Chairman and Vice-Chairman, any Councillor chosen by the other members shall preside.

#### Quorum

13. No business shall be transacted at a meeting of the Council or any Committee unless at least **three** members of the Council are present.

14. 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.

#### Voting

15. All questions at a meeting shall be decided by a majority of the Councillors present and voting. Members shall vote by a show of hands unless two members request a ballot. If any member so requires, the manner in which each member voted on any particular question must be recorded in the Minutes. A member who wishes the voting to be recorded may make his demand either before or after the vote but before moving on to the next item of business.

16. The Chairman may vote on any matter put to the vote and if the votes cast are equal may give a casting vote even though he gave no original vote.

17. The person presiding at the Annual Meeting may vote and must, if necessary, give a casting vote in the election of the Chairman and may vote for himself unless, in either case, he is a retiring Chairman who is about to cease to be a member of the Council, in which case he has only a casting vote.

### Order of Business

18. At each Annual Meeting the first business shall be:

- a. To elect a Chairman who shall serve until the next following Annual Meeting unless the Council determines there be exceptional circumstances;
- b. to receive the Chairman's Declaration of Acceptance of Office or to decide when it shall be received;
- c. to elect a Vice-Chairman;
- d. in a year of election of the Council, to fill any vacancies left unfilled at the election by reason of insufficient nominations;
- e. to decide when any Declarations of Acceptance of Office which have not been received shall be received;
- f. to appoint such Committees as the Council may require;
  - g. to appoint Council representatives to other bodies at the discretion of the Council;
- h. to consider the payment of any annual subscriptions;
  - i. 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.

19. At every Council meeting the agenda shall be:

- a. if the Chairman and Vice-Chairman are absent, to appoint a Chairman;
- b. to receive any disclosures of pecuniary or other interests;
- c. to deal with business expressly required by statute to be done;
  - d. to consider and approve the Minutes of the last meeting by the signature of the Chairman as a correct record;

and may include:

- e. Any matters arising from the Minutes of previous meetings
- f. to receive questions or statements from the public;
- g. to receive any report placed before the Council;
- h. to consider any planning applications;
- i. to approve any payments;
- j. to receive and consider the reports, Minutes and recommendations of committees;
- k. to consider other business specified in the summons;
- l. to note the correspondence received by the Council.

20. The Chairman may direct the order in which Agenda items are considered by the Council.

#### Rules of Debate

21. No resolution may be put to the Council or a committee of the Council except on items and issues that are included in the published agenda for that meeting. Every resolution must be proposed and seconded, and after discussion, put to the vote unless the proposer withdraws it.

22. Any amendment to the resolution must be proposed and seconded and shall be discussed and put to the vote before the original resolution.

23. Members shall address the Chairman and shall be silent when the Chairman speaks.

24. Any member can request that the motion now be put or the debate adjourned and, if the Chairman considers that there has been adequate discussion, a vote shall be taken.

25. A decision of the Council shall not be reversed within two months except by a special resolution signed by six members, or by a resolution which follows the recommendation of a committee.

26. Members of the public have no right to speak unless invited or authorised by the Council to do so. A County, Borough or District councillor has no special rights above those of an ordinary person.

### Committees of the Council

27. The Council shall, until further notice, discharge the functions of the Council to the extent laid down in the Terms of Reference at *Appendix A* through such committees and working parties that may be authorised by the Council from time to time.

28. The Clerk, after consultation with the Chairman and, in the absence of the Chairman, the Vice-Chairman:

- a. may send to the Council any matter which in their opinion it would be advisable to so refer;
- b. shall take such action as is deemed necessary in the interests of expediency.

29. The Chairman and Vice-Chairman shall be *ex-officio* members of every committee and working party.

30. Each Council member may attend any meeting of any committee or working party.

31. Any committee may appoint sub-committees with specific terms of reference within the terms of the committee.

### Minutes

32. Minutes of Council and committee meetings shall normally be taken by the Clerk who will submit a draft to the Chairman of the meeting as soon as possible after the meeting and shall prior to the next following meeting circulate both Council and committee Minutes to all councillors and Council meeting Minutes to the Borough and County Councillors present at the meeting and representing the parish of Churt and such other persons as may be determined by the Council. The Minutes shall record:

- a. the names of Councillors present;
- b. an interest arising from the code of conduct disclosed by a Councillor.
- c. A summary of the matters determined at the Meeting.

### Admission of the Public and Press to Meetings

33. 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 may however be temporarily excluded as set out in para 34 for:

- matters relating to an employee
- matters relating to tenders or contracts

- matters relating to legal proceedings
- the early stages of any dispute.

34. The public may be temporarily excluded only by means of the following resolution:

*"That in view of the nature of the business about to be transacted, it is necessary in the public interest that the public be excluded and they are hereby instructed to withdraw."  
(The special nature of the business shall be stated above)*

35. Members of the public shall not speak unless invited to do so by the Chairman and may be asked to leave if, after being warned, they interrupt proceedings.

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

37. Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's prior written consent.

#### Proper Officer

38. The Council's Proper Officer shall do the following:

- a. sign and serve on councillors by delivery, email or post at their residences a summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee and sub-committee at least 3 clear days before the meeting;
- b. 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);
- c. 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 38.a. above;
- d. receive and retain copies of byelaws made by other local authorities;
- e. receive and retain declarations of acceptance of office from councillors.

#### Standing Orders

39. A copy of these Standing Orders shall be given to each member by the Clerk upon delivery to the Clerk of the member's Declaration of Acceptance of Office.

40. Any or every part of these Standing Orders except those which are mandatory by law may be suspended by resolution in relation to any specific item of business.

41. 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 special motion, the written notice whereof bears the names of at least two councillors.

## APPENDIX A

### Committee and Working Party Terms of Reference

"Committee" includes Working Party.

1. The Council may appoint such committees for such purposes as it considers necessary.
2. The Council shall determine terms of reference for each committee but no committee shall have spending powers without precise definition and specific resolution of the Council.
3. Any committee may, should it consider it necessary, refer any matter back to the Council for determination
4. Membership of all committees is by appointment by the Council and, unless otherwise determined by statute or by the Council, need not be limited to members of the Council. Members of committees who are not members of the Council may join in the debate in committee but shall have no voting powers.
5. The Council will appoint the Chairman of the relevant committee and appoint such sub-committees as may be required.
6. Members of the public shall be allowed to attend any committee of this Council on the same terms as they would be admitted to the meetings of the Council. Members of the public may be excluded from meetings of any working party.

### The Planning Committee

7. The Committee is responsible to the Council for considering those planning applications presented to the Council which are not considered by the full Council.
8. The Committee shall comprise not less than three Councillors appointed by the Council together with the Clerk to the Council.
9. The Committee shall:
  - a. meet as frequently as required

b. consider and decide all planning applications not considered at a meeting of the full Council, and report its decisions to the next Council meeting. The Committee may defer decisions to the next Council meeting if necessary so long as the planning authority schedule permits.

c. Maintain a list of criteria against which planning applications will be evaluated

#### The Recreation Ground and Redhearn Green Management Committee

10. 'Recreation Ground' includes the pavilion and all structures, equipment, trees and hedges within the recreation ground perimeter as set out in the Land Register, together with the area of land known as Redhearn Green as set out in the Land Register.

11. **The Committee shall comprise the Parish Chairman, Parish Vice Chairman and Clerk together with a designated Chairman of the Recreation Ground Committee** and shall have spending powers within the limitations prescribed by Council Standing Orders and Financial Regulations to the extent of the budget delegated to it by the Council each year for specified purposes subject to the requirement to report all expenditures to the next following meeting of the Council.

12. The Committee shall

a. ensure strict compliance with all aspects of health and safety requirements relating to the Ground

b. satisfy itself that all necessary insurance cover has been provided by all users of the Ground and in place for every activity on the Ground which is authorised by the Council and ensure that no activity takes place which is not so insured

c. make such recommendations to the Council as the Committee may consider to be necessary or desirable for the making and implementation and enforcement of bye-laws in respect of entry to or use of the Ground

d. approve applications for further sporting and recreational organisations which wish to use the Ground

e. recommend to the Council the suspension or termination of the affiliation of any sporting or recreational or other organisation which fails to conform to the regulations for the use of the Recreation Ground.

f. determine fees, charges and expenses to be recovered from users of the Ground

g. develop and maintain an inspection and maintenance plan for the Ground and make arrangements with suitable contractors for all aspects of its continued maintenance.

h. carry out regular inspections of the play ground and take such steps as necessary in the event of the playground being unsafe or unsuitable for use.



- i. prepare an annual budget for submission to the Finance Working Party
- j. prepare and maintain a 5 year plan for the Recreation Ground

#### The Finance Working Party

13. The Working Party shall comprise the Chairman, Vice Chairman, 2 other designated Councillors and the Clerk to the Council.

14. The Finance Working Party shall:

- a. meet as frequently as required
- b. prepare a draft Council budget annually in accordance with general instructions issued by the Council
- c. at the December meeting of the Council puts its draft budget to the Council for approval.

#### The Emergency Planning Working Party

15. The Working Party shall comprise two Councillors appointed by the Council together with the Clerk to the Council.

16. The Working Party shall:

- a. meet as frequently as required
- b. review the Parish Emergency Plan as necessary and recommend to the Council any amendments to the Plan considered necessary.
- c. Ensure that all necessary arrangements to put the plan into effect are in place.

### APPENDIX B

#### Annual Parish Meeting/Assembly

The Annual Parish Meeting, or Assembly, is not a meeting of the Parish Council but an independent meeting of the electors for the parish. The purpose of the meeting is for all of the village organisations to report on the activities organised by them within the

parish and to discuss future plans and requirements. The decisions of the meeting are not normally binding but will carry substantial influence if the meeting is well attended, for example, with the Parish Council. The organisation of the meeting falls to the Parish Clerk, the Chairmanship to the Chairman of the Parish Council and the cost of the meeting is a statutory one borne by the Parish Council.

1. There shall be held a Parish Meeting annually on a day to be determined by the Chairman and Parish Clerk between 1st March and 1st June, both inclusive, in every year. Every local government elector for the parish of Churt shall be entitled to attend the meeting and to vote thereat
2. Public notice of a Parish Meeting shall be given:
  - a. by posting a notice of the meeting on the parish notice board
  - b. in such other manner, if any, as may appear to be desirable.
3. Not less than seven clear days notice shall be given for a Parish Meeting specifying the business to be transacted and signed by the Parish Clerk, unless:
  - a. the establishment or dissolution of the Council is to be discussed
  - b. the grouping of the Parish with another Parish or Parishes under a common Parish Council is proposed, whereupon fourteen clear days notice shall be given.
4. The Chairman of the Council shall preside at the Parish Meeting. In his absence the Vice-Chairman shall preside. In the absence of both, the Meeting may appoint a Chairman and that person shall have, for the purposes of that meeting, the powers and authority of the Chairman.
5. The quorum of a Parish Meeting is **two**.
6. A question to be decided at the Parish Meeting shall be decided by vote by the majority of those present at the meeting, and the decision of the person presiding at the meeting as to the result of the voting shall be final unless a poll is demanded.
7. Each elector may, at the Parish Meeting, give one vote on any question. In the case of an equality of votes, the person presiding at the meeting shall have an additional casting vote.
8. A poll may be demanded before the conclusion of a Parish Assembly on a question arising at the Assembly on the decision of the person presiding, or at the request of not less than ten, or one-third, of the local government electors present at the Assembly, whichever is the less.
9. The Parish Council may make, vary and revoke Standing Orders for the regulation of proceedings and business at the Parish Meeting.

## APPENDIX C

### Co-option of a Councillor in the event of a casual vacancy.

1. Nominations will be sought and applicants will be invited to apply by writing a letter to the Clerk.
2. Applications will be circulated to Councillors one week prior to a full council meeting. Notice of the election shall be given in the Agenda for the meeting at which a vote will be taken according to the procedures set out below
  - a. Nominations shall be voted upon by secret ballot.  
Councillors wishing to abstain shall mark their voting slip accordingly
  - b. Where more than two persons have been nominated, 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 ballot taken, and so on until a majority of votes is given in favour of one person
  - c. The person elected will make a declaration of acceptance of office before, or at, the first meeting of the Parish Council following election in the presence of a member of the Parish Council or the Proper Officer of the Parish Council.