

## **CAM PARISH COUNCIL**

### **STANDING ORDERS**

**NB References to he/him etc should be taken to mean she/her etc as appropriate  
These Standing Orders shall apply to Committee as to the Full Council unless otherwise specified**

#### **MEETINGS**

1. Meetings of the Council shall be held at the Council Offices, Cam, at 6.30 pm unless the Council otherwise decides at a previous meeting.
2. The Statutory Annual Meeting shall be held on the first Wednesday in May, if possible (in an Election Year, the meeting must be within 14 days of the day on which the councillors take office).
3. The three other Statutory meetings shall be held on the first Wednesday in the months of September, December and March.
4. Eight additional meetings shall normally be held on the first Wednesday in the months of January, February, April, June, July, August, October and November, unless Council, at a previous meeting, decides otherwise. However, in the case of the August meeting, the Chair and Clerk shall consult two weeks before the due date of the meeting, and if they are agreed that there is insufficient business to merit a meeting, it will then be cancelled. When a cancellation takes place, the Clerk in consultation with the Chair and Vice-Chair shall be authorised to deal with any business requiring a decision before the next meeting of the Council, and two members shall be authorised to approve and sign cheques for accounts due for payment in that month. These members shall be designated at the previous meeting of the Council.

#### **COMMITTEES**

5. Council may delegate functions to Committees other than the following:
  - Determination of the overall borrowing limit
  - Determination of short term borrowing limit
  - Determination of amount of interest payable by it at rates variable by a lender or which are controlled by external factors
  - Issue of a precept
  - Approval of a lottery scheme
6. Committees may carry out these functions according to Terms of Reference approved by Council, including further delegation to a sub-committee.

#### **CHAIR OF MEETING**

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

#### **QUORUM**

8. The quorum is three or one third of the total membership, whichever is the greater, but where more than one third of the members are disqualified at the same time the quorum is either three or one third of the qualified members whichever is the greater, until such time as the membership has been increased to not less than two thirds of the total. A motion to suspend Standing Orders shall not be moved without notice unless at least two thirds of the members are present.

9. If a quorum is not present when the Council meets, or if during a meeting the number of councillors falls below the quorum, the business not transacted at that meeting shall be transacted at the next meeting or on such other day as the Chair may fix

### **VOTING**

10. Members shall vote by show of hands.

11. If a member so requires, the Clerk shall record the names of the members who voted on any question so as to show whether they voted for or against it.

12. In the event of an equality of votes, the Chair shall have a second or casting vote.

### **ORDER OF BUSINESS**

13. At the Annual Meeting, the first business shall be:-

- a) To elect a Chair from those eligible for office (i.e. all those other than a serving Chair who has already completed 3 years in office)
- b) To receive the Chair's Declaration of Acceptance of Office
- c) To elect a Vice-Chair
- d) Appointment of committees
- e) Appointment of representatives to Outside Bodies (eg School Governors)
- f) To receive details of any Deeds and Trust instruments and other formal documents in the custody of the Council

and shall thereafter follow the order set out in Standing Order 15.

14. At every meeting other than the Annual Meeting the first business shall be the appointment of a Chair if the Chair and Vice-Chair be absent.

15. After the first business has been completed the Council shall receive such declarations of acceptance of office (if any) as are required by law to be made, and thereafter the order of business, unless the Council otherwise decides on the ground of urgency, shall be as follows:-

- a) 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
- b) After consideration, to approve the signature of the Minutes by the presiding Chair as a correct record
- c) To deal with business expressly required by statute to be done
- d) To receive such communications as the presiding Chair may wish to lay before the Council
- e) To dispose of business, if any, remaining from last meeting
- f) To authorise the sealing of documents
- g) To consider motions in the order in which they have been notified
- h) To deal with any other business specified in the summons

i) To authorise the signing of orders for payment

16. A motion to vary the business in the ground of urgency

a) may be proposed by the Chair or by any member and, if proposed by the Chair, may be put to the vote without being seconded, and

b) shall be put to the vote without discussion.

### **RESOLUTIONS MOVED ON NOTICE**

17. Except as provided by these Standing Orders, no resolution, other than on business specified in the summons, may be moved unless the mover has given notice in writing of its terms and has delivered the notice to the Clerk at least seven clear days before the next meeting of the Council.

18. The Clerk shall date every notice of motion when received by him/her, shall number each notice in the order in which it was received and shall enter it in a book which shall be open to the inspection of every member of the Council.

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

20. If a resolution specified in the summons be not moved, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.

21. Every resolution shall be relevant to some question over which the Council has power or which affects the parish.

### **RESOLUTIONS MOVED WITHOUT NOTICE**

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

a) To appoint a Chair of the meeting

b) To correct the Minutes

c) To approve the Minutes

d) To alter the order of business

e) To proceed to the next business

f) To close or adjourn the debate

g) To appoint a committee or any members thereof

h) To adopt a report

i) To authorise the sealing of documents

j) To amend a motion

k) To give leave to withdraw a motion or amendment

l) To extend the time limit for speeches

m) To consider otherwise than in committee a question affecting an employee of the Council

n) To suspend Standing Orders

o) To exclude the press

p) To exclude the public

q) To silence or eject from the meeting a member named for misconduct

r) To give the consent of the Council where such consent is required by these Standing Orders

s) To deal with a matter of urgency, at the discretion of the Chair

- t) To reach decision on any matter detailed in the summons

### **QUESTIONS**

23. A member may ask the Chair any question concerning the business of the Council.
24. Every question shall be put and answered without discussion.
25. A person to whom a question has been put may decline to answer or to defer an answer to allow time to gather further information etc..

### **RULES OF DEBATE**

26. No discussion shall take place upon the Minutes except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chair.
- 27.
- a) A resolution or amendment shall not be discussed unless it has been proposed and seconded, and unless proper notice has already been given, it shall if required by the Chair, be reduced to writing and handed to him before it is further discussed or put to the meeting
  - b) A member when seconding a resolution or amendment may, if he then declares his intention to do so, reserve his speech until a later period of the debate
  - c) A member shall direct his speech to the question under discussion or to a personal explanation or to a question of order
  - d) An amendment shall be either:-
    - i) To leave out words
    - ii) To leave out words and insert or add other
    - iii) To insert or add words
  - e) An amendment shall not have the effect of negating the motion before the Council
  - f) The mover of a resolution or of an amendment shall have a right of reply
  - g) A further amendment shall not be moved until the Council has disposed of every amendment previously moved
  - h) A member, other than the mover of a resolution, shall not, without leave of the Council, speak more than once on any resolution except to move an amendment, or on an amendment, or on a point of order, or in personal explanation, or to move the closure
  - i) A member may make a point of order or a personal explanation. A personal explanation shall be confined to some material part of a former speech by him which may have been misunderstood. A member indicating that he wishes to speak for these purposes shall be heard forthwith
  - j) A motion or amendment may be withdrawn by the proposer with the unanimous consent of the Council, which shall be signified without discussion, and no member may speak upon it after permission has been asked for its withdrawal unless such permission has been refused

k) If an amendment be carried, the resolution, as amended, shall take the place of the original resolution and shall become the resolution upon which any further amendment may be moved

l) When a resolution is under debate no other resolution shall be moved except the following:-

- i) to amend the resolution
- ii) to proceed to the next business
- iii) to adjourn the debate
- iv) that the question be now put
- v) that a member named do leave the meeting
- vii) that the resolution be referred to a committee
- viii) to exclude the public or press or both
- ix) to adjourn the meeting

28.

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

b) Members shall address the Chair

c) If two or more members indicate, the Chair shall call upon one of them to speak

d) When the Chair is speaking all other members shall be silent

### **CLOSURE**

29. At the end of any speech a member may, without comment, move 'that the question be now put', 'that the debate be now adjourned' or 'that the Council do now adjourn'. If such a motion is seconded and if the Chair is of the opinion that the question before the Council has been sufficiently debated (but not otherwise), he shall forthwith put the motion. If the motion 'that the question is now put' is carried, he shall call upon the mover to exercise or waive his right of reply and shall put the question immediately after that right has been exercised or been waived. The adjournment of debate or of the Council shall not prejudice the mover's right of reply at the resumption.

### **DISORDERLY CONDUCT**

30.

a) No member shall misconduct himself at a meeting by persistently disregarding the ruling of the Chair, by wilfully obstructing business, or by behaving irregularly, offensively, improperly or in such a manner as to scandalise the Council or bring it into contempt or ridicule

b) If, in the opinion of the Chair, a member has so misconducted himself, the Chair shall express that opinion to the Council and thereafter any member may move that the member named be no longer heard or that the member named do leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion

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

### **RIGHT OF REPLY**

31. The mover of a resolution shall have a right to reply immediately before the resolution is put to the vote. If an amendment is proposed the mover of the amendment shall be entitled to reply immediately before the amendment is put to the vote. A member exercising a right of reply shall not introduce a new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

### **ALTERATION OF RESOLUTION**

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

33.

a) A decision (whether affirmative or negative) of the Council shall not be reversed within six months save by a special resolution, the written notice whereof bears the names of at least five members of the Council.

b) When a special resolution has been disposed of, no similar resolution may be moved within a further six months.

### **VOTING ON APPOINTMENTS**

34. Where more than two persons have been nominated for any position, other than one of paid employment, to be filled by the Council and of the votes given there is not an absolute majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken, and so on, until a majority of votes is given in favour of one person.

### **DISCUSSIONS AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL**

35. If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service of any person employed by the Council, it shall not be considered by the Council until the Council has decided whether or not the public shall be excluded.

### **RESOLUTIONS ON EXPENDITURE**

36. Any motion which, if carried, would in the opinion of the Chairman substantially increase the expenditure upon any service or reduce revenue, or which would involve capital expenditure, shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

### **EXPENDITURE**

37. Orders for payment of money shall be authorised as stated in Financial Regulations of the Council.

### **SEALING OF DOCUMENTS**

38. Any two members of the Council, as authorised by the Council, may seal, on behalf of the Council, any document required by law to be issued under seal.

### **ACCOUNTS AND FINANCIAL STATEMENTS**

39.

a) Except as provided by paragraph (b) of this Standing Order or by Statute, all accounts for payment and claims upon the Council shall be laid before the Council.

b) Where it is necessary to make a payment in respect of an account which has not been laid before the Council, such payment shall be certified as to its correctness and urgency by the appropriate officer.

c) All payments authorised under sub-paragraph (b) of this Standing Order or made without authority of the Council under any Statute shall be separately included in the next schedule of payments laid before the Council.

40. The Clerk shall supply to each member as soon as practicable (and not later than the June meeting) after the end of the Financial Year financial statements as required under Accounts and Audit Regulations.

### **INTERESTS OF MEMBERS, OFFICERS AND RELATIVES IN CONTRACTS AND OTHER MATTERS**

41. All members must abide by the current Local Government Code of Conduct , shall complete and when necessary update their Registers of Interest by the prescribed date and shall declare at any meeting any interest in matters under discussion, either personal or prejudicial, and, if prejudicial, leave the room whilst the matter is under discussion and take no part in any vote on that issue.

42. The Clerk shall record particulars of any disclosure of interest given by any member or any officer of the Council, and details shall be available during reasonable hours of the day for the inspection of any member of the Council.

43. If a candidate for any appointment under the Council is to his knowledge related to any member of or the holder of any office under the Council, he and the person to whom he is related shall disclose the relationship in writing to the Clerk. A candidate who fails so to do shall be disqualified for such appointment, and, if appointed, may be dismissed without notice. The Clerk shall report to the Council or to the appropriate committee any such disclosure. Where relationship to a member is disclosed the Standing Orders on interests of members in contracts and other matters shall apply.

The Clerk shall make known the purport of this Standing Order to every candidate.

### **CANVASSING OF AND RECOMMENDATIONS BY MEMBERS**

44.

a) Canvassing of members, directly or indirectly, for any paid appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make known the purport of this sub-paragraph of the Standing Orders to every candidate.

b) A member of the Council shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion: but nevertheless, a member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.

45. Standing Orders Nos 43 and 44 shall apply to tenders as if the person making the tender was a candidate for an appointment.

#### **INSPECTION OF DOCUMENTS**

46. A member may for the purpose of his duty as such (but not otherwise) inspect any document in possession of the Council or a committee, and if copies are available shall, on request, be supplied for the like purpose with a copy.

47. All Minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council and any elector during reasonable hours of the day, save that Minutes of any matter discussed when press and public had been excluded shall not be made available, any decision being made under such circumstances being recorded in normal Minutes.

#### **INSPECTION OF LANDS AND PREMISES**

48. No members shall, in the name of the Council, inspect any lands or premises which the Council has the right or duty to inspect unless authorised to do so by the Council.

#### **ISSUE OF ORDERS**

49. No member of the Council shall issue any orders on behalf of the Council or shall issue any orders in respect of anything being done for the Council unless authorised to do so by the Council.

#### **ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS**

50. The public and press shall be admitted to all meetings of the Council, which may, however, temporarily exclude the public or the press or both by means of the following resolution, viz.:

"That in the view of the (special) (confidential) nature of the business about to be transacted, it is in the opinion of this Council advisable in the public interest that the press/public be temporarily excluded and they are instructed to withdraw"

51. The Clerk shall afford the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present.

52. If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that he be removed from the meeting room or that part of the meeting room open to the public be cleared.

53. Opportunity shall be given to members of the public in attendance to address the Council, make representations and ask questions, during a set period at the beginning of each meeting or by invitation from the Chair. Such representations may be time-limited at the discretion of the Chair, who may require representations and/or questions to be put in writing, defer answers to allow time for investigation or limit the number of representations from any one person when it is felt that further involvement is not in the public interest

#### **CONFIDENTIAL BUSINESS**

54. No member of the Council shall disclose to any person not a member of the Council any parish business declared to be confidential by the Council.

#### **LIAISON WITH COUNTY AND DISTRICT COUNCILLORS**

55. A notice of meeting shall be sent together with an invitation to attend to the County Councillor for the division in which the parish lies and to the District Councillor(s) for the parish, who shall also be provided with a copies of the Minutes.

#### **VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS**

56. Any Standing Order except Orders Nos 5,8,9,10,11,12, 13(a),13(b),13(c),35,40,45 and 48 may be suspended by a resolution in relation to any specific item of business.

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

#### **STANDING ORDERS TO BE GIVEN TO MEMBERS**

58. A copy of these Standing Orders shall be given to each member by the Clerk upon delivery to him/her of the member's declaration of acceptance of office.

#### **STANDING ORDERS ON CONTRACTS**

59.

- a) Every contract whether made by the council or by a committee to which the power of making contracts has been delegated shall comply with these standing orders, and no exception from any of the following provisions of these standing orders shall be made otherwise than by direction of the council or in an emergency by such a committee as aforesaid provided that these standing orders shall not apply to contracts which relate to items (i) to (v) below:
  - (i) for the supply of gas, electricity, water, sewerage and telephone services
  - (ii) for specialist services such as those provided by solicitors, accountants, surveyors and planning consultants
  - (iii) for work to be executed of goods or materials supplied which consist of repairs to or parts for existing machinery or equipment or plant
  - (iv) for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the council

- (v) for goods or materials to be purchased which are proprietary articles and/or which are sold only at a fixed price
- b) Where it is intended to enter into a contract:
  - (i) exceeding £5000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials or services as are excepted as set out in paragraph (a) the clerk shall invite tenders from at least three firms.
  - (ii) Where the value of the intended contract exceeds £10000, notice of the intention to enter into it shall be publicly advertised and tenders shall be required to be provided in sealed, marked envelopes and provided by a set date.
  - (iii) For expenditures of £1000 or less in value the clerk or the duly authorised deputy in consultation with the chairman of the spending committee or his appointed vice chairman shall have executive power.
- c) When applications are made to waive standing orders relating to contracts to enable a tender to be negotiated without competition the reason shall be embodied in a recommendation to the council.
- d) Every exception made by a committee to which the power of making contracts has been delegated shall be reported to the council and the report shall specify the emergency by which the exception shall have been justified.
- e) Invitations to tender shall state the general nature of the intended contract and the clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the clerk and the last date by which such tenders should reach the clerk in the ordinary course of post. For contracts exceeding £10000 in value each tendering firm shall be supplied with a specially marked envelope in which the tender is to be sealed and remain sealed until the prescribed date for opening tenders for that contract.
- f) All sealed tenders shall be opened at the same time on the prescribed date by the clerk or the properly authorised deputy in the presence of at least one member of the council.
- g) If less than three tenders are received for contracts valued above £5000 or if all the tenders are identical the council may make such arrangements as it thinks fit for procuring the goods or materials executing the works.
- h) Any invitation to tender issued under this standing order shall contain a statement of effect of standing order Nos. 43,44 and 5
- i) The council shall not be obliged to accept the lowest or any tender.

These Standing Orders were adopted by the Parish Council at its meeting on .....

(Signed)  
Chair Cam Parish Council

Date.....