

Dorney Parish Council



STANDING ORDERS

1 MEETINGS

- A Meetings of the Council shall take place at 8 pm on the second Tuesday of each month (except August) at Dorney Village Hall or a location to be decided including virtually meetings whilst deemed legal.**
- B 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.**
- C Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- D Subject to Standing Orders E, a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To "report" means to film, photograph, make an audio recording of the meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.**
- E A person at a meeting may not provide an oral report or oral commentary about a meeting as it takes**

F place without permission.

Subject to standing order 1(c) 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. The period of time shall not exceed 5 minutes.

G In accordance with standing order 1(c) above, a question asked by a member of the public during a public participation session at a meeting shall not require a response or debate. The Chairman may direct that a response to such a question may be referred to a Councillor for an oral response or to the Clerk for a written or oral response.

H Any person speaking at a meeting shall address his comments to the Chairman. 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.

I In accordance with standing order 1(c) above, the press shall be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.

J 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.

K Subject to standing order 1 (R) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.

L 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.

M 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.

N The minutes of a meeting shall record the names of councillors present and absent.

- O** 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.
- P** The code of conduct adopted by the Council shall apply to councillors in respect of the entire meeting.
- Q** 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.
- R** No business may be transacted at a meeting unless at least one third (3) of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than 3. 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.
- S** Meetings shall not exceed a period of 2 hours.

2 Ordinary Council meetings

- A** In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the new councillors elected take office. In a year which is not an election year, the annual meeting of a Council shall be held on such a day in April/May as the Council may direct and shall take place at 7.30pm.
- B** 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. The Chairman and Vice-Chairman (if any) shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.
- C** Other statutory meetings shall be held as follows:-

Finance Committee will meet before or after on the same date as the November Council meeting. Additional Finance meetings may be held as and when the Council decides. No meetings will take place in August.

3 **The Proper Officer**

A The Council's Proper Officer shall be the clerk and shall fulfil the duties assigned to the proper officer in statute regulations or Council Standing orders.

B The Councils proper officer shall do the following.

- **Sign and electronically serve on councillors or post at their residences a summons confirming the time, date, venue and the agenda of a meeting of the Council or Finance Committee at least 3 clear days before the meeting.**
- **Give public notice of the time, date, venue and agenda at least 3 clear days before a meeting of the Council or Finance Committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**
- **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 orders.**
- **Make available for inspection the minutes of meetings.**
- **Receive and retain copies of byelaws made by other local authorities.**
- **Receive and retain declarations of acceptance of office from councillors.**
- **Retain a copy of every councillor's register of interests and any changes to it and keep copies of the same available for inspection.**
- **Keep proper records required before and after meetings**
- **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.**
- **Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.**
- **Manage the organisation, storage of and access to information held by the Council in paper and electronic form.**
- **Arrange for legal deeds to be signed by 2 councillors and witnessed**
- **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.**
- **Refer a planning application received by the Council to the members of the Planning Committee for consideration at their next meeting or to the Clerk who holds delegated authority to respond to the District or County Council as appropriate.**
- **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) 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** 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.
- C** Having consulted the Chairman or councillors pursuant to standing order 4(a) above, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.

5 Motions not requiring written notice

Motions in respect of the following matters may be moved without written notice.

- To appoint a person to preside at a meeting.
- To approve the absences of councillors.
- To approve the accuracy of the minutes of the previous meeting.
- To correct an inaccuracy in the minutes of the previous meeting.
- To update items of business, from the last meeting.
- To alter the order of business on the agenda for reasons of urgency or expedience.
- To proceed to the next business on the agenda.
- To close or adjourn debate.
- To refer by formal delegation a matter to a committee or The Clerk.
- To appoint a committee or any councillors (including substitutes) thereto.
- To receive nominations to a committee.
- To dissolve a committee.
- To note the minutes of a meeting of a committee.
- To consider a report and/or recommendations made by a committee or the Clerk.
- To delegate action to The Clerk
- To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
- To authorise legal deeds signed by two councillors and witnessed by the Proper Officer.
- To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
- To extend the time limit for speeches.
- **To exclude the press and public for all or part of a meeting which is confidential.**

- To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
- To give the consent of the Council if such consent is required by standing orders.
- **To suspend any standing order except those which are mandatory by law.**
- To adjourn the meeting.
- To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
- To answer questions from councillors.

6 Rules of debate

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.

Subject to standing orders 4(a)–(c) above, a motion shall not be considered unless it has been proposed and seconded.

Subject to standing order 3(b) above, a motion included in an agenda not moved by the councillor who tabled it, may be treated as withdrawn.

7 Code of conduct (England)

- A All councillors shall observe the code of conduct adopted by the Council on the 16th July 2012.**
- B Councillors with a prejudicial interest 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 must, thereafter, leave the room or chamber.**

8 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 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 (Committee) held on [date] in respect of (Item number) were a correct record but his view was not upheld by the majority of the (Council Meeting date) 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.

9 Disorderly conduct

- A** No person 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 9 (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 forth-with and without discussion
- C** If a resolution made in accordance with standing order 9 (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.

10 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 (50%) 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 10 (a) above has been disposed of, no similar motion may be moved within a further 6 months.

11 Voting on appointments

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.

12 Expenditure

- A** Any expenditure incurred by the Council shall be in accordance with the Council's financial regulations
- B** **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 the Clerk.**
- C** **The Council's financial regulations shall be reviewed once a year.**

13 Extraordinary meetings

- 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 the Finance Committee may convene an extraordinary meeting of the committee at any time.**

14 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 processed in accordance with the Council's policy in respect of dealing with the press and/or other media.
- B** In accordance with the Council's policy in respect to dealing with the press and/or other media, councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media.

15 Financial matters

- A** The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - i. the 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 reports from the Internal

Auditor, which shall be required quarterly:

- 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 £50,000.

B Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £50,000 shall be procured on the basis of a formal tender as summarised in standing order 30(c) below.

C 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. tenders are to be sent, in a sealed marked envelope, to the Proper Officer by a stated date and time;
- iv. 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;
- v. tenders are then to be assessed and reported to the appropriate meeting of Council or Committee.

D The Council is not bound to accept the lowest tender, estimate or quote.

E Where the value of a contract is likely to exceed £138,893 (or other threshold specified by the Office of Government Commerce from time to time) the Council must consider whether the Public Contracts Regulations 2006 (SI No.5, as amended) and the Utilities Contracts Regulations 2006 (SI No. 6, as amended) apply to the contract and, if either of those Regulations apply, the Council must comply with EU procurement rules.

16 Management of Information

A. The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.

B. The council shall have in place, and keep under review, policies for the safe retention and safe destruction of all information (including personal data) which it holds in paper or electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).

- C. The agenda, papers that support the agenda and minutes of a meeting shall not disclose or otherwise determine confidential information or personal data without a legal justification.
- D. Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without a legal justification.

17 Allegations of breaches of the code of conduct

- A** On receipt of a notification that there has been an alleged breach of the code of conduct the Proper Officer shall refer it to the Council.
- B** Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of the Council of that fact, who, upon receipt of such notification, shall nominate a person to assume the duties of the Proper Officer set out in the remainder of this standing order, who shall continue to act in respect of that matter as such until the complaint is resolved.
- C** Where a notification relates to a complaint made by an employee (not being the Proper Officer) the Proper Officer shall ensure that the employee in question does not deal with any aspect of the complaint.
- D** The subject matter of notifications shall be confidential and, insofar as it is possible to do so by law, the Council shall take the steps set out below, together with other steps considered necessary, to maintain confidentiality.
- i. Draft the summonses and agendas in such a way that the identity and subject matter of the complaint are not disclosed.
 - ii. Ensure that any background papers containing the information set out in standing order 16 (a) above are not made public.
 - iii. Ensure that the public and press are excluded from meetings as appropriate.
 - iv. Ensure that the minutes of meetings preserve confidentiality.
 - v. Consider any liaison that may be required with the person or body with statutory responsibility for the investigation of the matter.

- E** Standing order 16 (d) above should not be taken to prohibit the Council from disclosing information to members and officers of the Council or to other persons where such disclosure is necessary to deal with the complaint or is required by law.
- F** The Council shall have the power to:
- i. seek documentary and other evidence from the person or body with statutory responsibility for investigation of the matter;
 - ii. seek and share information relevant to the complaint;
 - iii. grant the member involved a financial indemnity in respect of legal costs, which shall be in accordance with the law and subject to approval by a meeting of the full Council.