

**TOSELAND PARISH COUNCIL STANDING ORDERS.  
ADOPTED AT THE ANNUAL PARISH COUNCIL MEETING, 7 MAY 2003,  
AMENDED 29/09/12, AND REVISED RE: HDC CODE OF CONDUCT,  
02/06/14**

**NB According to NALC Model Standing Orders the paragraphs in bold type are statutory and must be included.**

**1.Meetings**

The Council may direct when and where its meetings shall be held.

**2.The Statutory Annual Meeting**

**[a] In an election year the Annual Parish Council Meeting shall be held on or within 14 days following the day on which councillors elected take office and**

**[b] in a year which is not an election year the Annual Parish Council Meeting shall be held on such a day in May as the Council may direct.**

**3. Other statutory meetings**

**In addition to the Statutory Annual Parish Council Meeting at least three other statutory meetings shall be held in each year on such dates at such times and places as the Council may direct.**

**4.Chair of the Meeting**

**The person presiding at a meeting may exercise the powers and duties of a Chairman in relationship to the conduct of the meeting.**

**5.Proper Officer**

Where a statute, regulation or order confers functions or duties on the proper officer of the Council in the following cases that person shall be the Clerk/RFO:

- a) To receive declarations of acceptance of office.
- b) To receive and record notices disclosing interests at meetings.
- c) To receive and retain plans and documents.
- d) To sign notices or other documents of behalf of the Council.
- e) To receive copies of bylaws made by another local authority.
- f) To certify copies of bylaws made by the Council.
- g) To sign and issue the summons to attend meetings of the Council.
- h) To keep proper records for all Council meetings.

**6.Quorum of the Council**

- a) Three members or one-third of the total membership, whichever is the greater, shall constitute a quorum at meetings of the Council.**
- b) If a quorum is not present, or if, during a meeting, the number of Councillors present (not counting those debarred by reason of a declared interest) falls below the required quorum, the meeting shall be adjourned and business not transacted shall be transacted at the next meeting or on such other day as the Chair may fix.

**7.Voting**

- a) Members shall vote by show of hands, or, if at least two members so request, by signed ballot.

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- b) 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. The request must be made before the Council moves on to the next business.**
- c) Subject to [d] and [e] below, the Chair may give an original vote on any matter put to the vote, and in the case of an equality of votes, may give a casting vote whether or not s/he gave an original vote.**
- d) If the person presiding at the annual meeting would have ceased to be a member of the Council but for statutory provisions which preserve the membership of the Chair and Vice-Chair until the end of their term of office s/he may not give an original vote in an election for Chair.**
- e) The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.**

**8. Order of Business**

**At each Annual Parish Council Meeting the first business shall be:**

- a) To elect a Chair of the Council.**
- b) To receive the Chair's declaration of acceptance of office or, if not received, to decide when it shall be received.**
- c) In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.**
- d) To decide when any declarations of acceptance of office and written undertakings to observe the code of conduct adopted by the council which have not been received as provided by law, shall be received.**
- e) To renew the Clerk/RFO's appointment or appoint a new Clerk/RFO.**

**9. First business**

**At every meeting other than the Annual Parish Council Meeting, the first business shall be to appoint a Chair if the Chair and Vice-Chair are absent and to receive such declarations of acceptance of office (if any) and undertaking to observe the Council's code of conduct as are required by law to be made, or if not then received to decide when they shall be received.**

After the first business has been completed, the order of business, unless the Council otherwise decides, shall be:

- a) To consider the minutes of the previous meeting**

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- b) After consideration, to approve the signature of the minutes by the person presiding, as a correct record.**
- c) To deal with the business expressly required by statute to be done** and thereafter to proceed as stated on the agenda for that meeting.

**10. Urgent business**

A motion to vary the order of business on the grounds of urgency 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 or discussed.

**11. Resolutions moved on notice**

Except as provided for in these Standing Orders, no resolution may be moved unless the business to which it relates has been put on the agenda by the Clerk or the mover has given notice in writing of its terms and has delivered the notice to the Clerk at least three clear days before the next meeting of the Council.

**12. Resolutions moved without notice**

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 adopt a report.
- h) To amend a motion.
- i) To give leave to withdraw a resolution or amendment.
- j) To extend the time limit for speeches.
- k) To exclude the press and public (see Order 22 below).
- l) To silence or eject from the meeting a member named for misconduct (see Order 15 below).
- m) To give the consent of the Council where such consent is required by these Standing Orders.
- n) To suspend any Standing Order (see Order 27 below).
- o) To adjourn the meeting.

**13. Questions**

- a) A member may ask the Chair or Clerk/RFO any question concerning the business of the Council.
- b) Every question shall be put and answered without discussion.
- c) A person to whom a question is put may decline to answer.

**14. Rules of debate**

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- a) No discussion, except concerning accuracy, shall take place upon the minutes. Corrections to the minutes shall be made by resolution and initialled by the Chair.
- b) A resolution or amendment shall not be discussed unless it has been proposed and seconded.
- c) A member shall direct her/his speech to the question under discussion or to a point of order, or to a personal explanation of some point raised by her/him that might have been misunderstood.
- d) 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 be not further heard.
  - vi. That a member named do leave the meeting.
  - vii. To exclude the press and public.
  - viii. To adjourn the meeting.
- e) A member shall remain seated unless requested to stand by the Chair.
- f) The ruling of the Chair on a point of order or personal explanation shall not be discussed.
- g) Members shall address the Chair. If two or more members wish to speak, the Chair shall decide who to call upon.
- h) Whenever the Chair speaks during a debate all other members shall be silent.
- i) Regarding closure of debate, at the end of any speech a member may move 'that the question be now put' or 'that the debate be now adjourned' or 'that the Council do now adjourn'. If such a motion is seconded, the Chair shall put the motion but, in the case of a motion 'that the question be now put' only if s/he is of the opinion that it has been sufficiently debated.

**15. Disorderly Conduct**

- a. **All members must observe the Code of Conduct which was adopted by the Council on 02/06/14, a copy of which is annexed to these Standing Orders.**
- b. No member shall at a meeting persistently disregard the ruling of the Chair, wilfully obstruct business or behave irregularly, offensively,

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improperly or in such a manner as to bring the Council into disrepute.

- c. If in the opinion of the Chair, a member has acted in a manner contrary to that required, the Chair shall express that opinion to the Council and thereafter any member may move that the member named 'do leave the meeting', and the motion, if seconded will be put forthwith and without discussion. **If a member reasonably believes another member is in breach of the code of conduct then that member is under a duty to report the breach to the appropriate officer at Huntingdonshire District Council.**

**16. Appointments**

- a) **Where more than two persons have been nominated for any position to be filled by the Council or have applied to fill a casual vacancy, and of the votes given there is not an absolute majority in favour of one person, the name of the person with the least 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.**
- b) **Where a casual vacancy is to be filled by co-option, the following procedure shall be adopted:**
- i. **Candidates shall be invited to apply in writing, and the Clerk shall copy the application and any supporting papers to all members.**
  - ii. **Candidates are required to attend the meeting of the Council at which their application is to be voted on unless they can show good cause for absence.**
  - iii. **Candidates may, if they wish, address the meeting in support of their application and members of the Council may question them thereon.**
  - iv. **The candidates having retired, the Chair shall allow a period of discussion after which those present may vote, provided that they have received a copy of the application and any papers referred to above and have been present during the candidates' address (if given) and subsequent questioning (if any) and discussion.**
  - v. **Voting shall be by ballot.**
  - vi. **The public and the press shall be excluded from the meeting during iii) to v) above. Where applicable, the voting procedures set out in sub-paragraph a) will apply.**

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**17. Discussions and resolutions affecting employees of the Council**

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 until the Council has decided whether or not the press and public should be excluded (see Order 22).

**18. Expenditure**

- a) Except as provided in the Financial Regulations or by statute, all accounts for payment shall be laid before the Council.
- b) **Orders for the payment of money** including withdrawals from any bank account held in the name of the Council **shall be authorised by resolution of the Council** in accordance with the relevant financial regulations, **and signed by two members.**

**19. Working groups**

- a) The Council may at any time set up a working group for specific purposes.
- b) The working group may make recommendations to the Council.
- c) The Council may authorise non-members of the Council, to be co-opted as special advisors to a working group.
- d) **Chairs of committees and working groups shall in the case of of an equality of votes have a secondary or casting vote.**

**20. Interests**

- a) **If a member has a disclosable pecuniary interest as defined by the code of conduct adopted by the Council on 02/05/14, then s/he shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of the interest as required.**
- b) **Where a member has a disclosable pecuniary interest, whether the interest is registered or not, s/he must not (unless s/he has obtained a dispensation from the Clerk) participate, or participate further, in any discussion of the matter at the meeting; or remain in the meeting room whilst the matter is being debated or participate in any vote taken on the matter at the meeting.**
- c) **In addition to these requirements, if a member attends a meeting at which any item of business is to be considered and s/he is**

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aware that s/he has a “non- statutory disclosable interest” in that item, s/he must make verbal declaration of the existence and nature of that interest at or before the consideration of the item of business or as soon as the interest becomes apparent.

- d) **The Clerk/RFO is required to hold a copy of the register of the members’ interests held at Huntingdonshire District Council offices, in accordance with agreement reached with the Monitoring Officer of the Responsible Authority and/or as required by statute. This should be displayed on the Parish Council website. Members must ensure that their register of interests is kept up to date and notify the Monitoring Officer in writing within 28 days of becoming aware of any change in respect of their disclosable pecuniary interests.**

21. Inspection of documents

- a) A member for the purpose of her/his duty as such (but not otherwise) may inspect any document in possession of the Council and if copies are available, shall, on request, be supplied with a copy for the like purpose.
- b) All minutes kept by the Council shall be open for the inspection of any member of the Council.**

22. Admission of the public and press to meetings

- a) **The public and press shall be admitted to all meetings of the Council and its committees which may, however, temporarily exclude** the press and the public by means of the following resolutions:
- b) ‘That in the view of the [special/confidential] nature of the business about to be transacted, it is advisable in the public interest that the press and the public be temporarily excluded and they are instructed to withdraw’.
- c) At all meetings of the Council, the Chair may at her/his discretion, and at a convenient time in the transaction of business, adjourn the meeting so as to allow any members of the public to address the meeting in relation to the business to be transacted at that meeting.
- d) If a member of the public interrupts the proceedings at any meeting, the Chair may, after warning, order that the person be removed from the meeting and may adjourn the meeting for such a period as is necessary to restore order.

23. Confidential business

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- a) No member of the Council shall disclose to any person not a member of the Council any business that has been transacted after the press and public have been excluded.
- b) The Chair may, however, if authorised make a public statement as to the outcome of the deliberations.

**24. Planning applications**

- a) The Clerk shall keep records of all planning applications received.
- b) The Clerk shall notify the receipt of every planning application to the Chair within 48 hours of receipt.
- c) If the Chair considers that the planning application is of such a nature that it ought to be considered by a meeting of the full Council then s/he must call a special meeting of the Council if time does not permit the matter to be discussed at the next meeting.

**25. Financial matters**

- a) The Council shall consider and approve Financial Regulations drawn up by the Responsible Financial Officer.
- b) The Financial Regulations shall be subject to regular review, at least once in every four years.
- c) Such regulations shall include detailed arrangements for the following:
  - i. The accounting records and systems of internal control.
  - ii. The assessment and management of risks faced by the Council.
  - iii. The work of the Internal Auditor as stipulated by the Accounts and Audit Regulations 1996 as amended.
  - iv. The financial reporting requirements of members and local electors.
  - v. Procurement policies for the supply of goods, materials and services, including rules for the process of tender in respect of goods, materials or services costing more than £1000.

**26. Code of conduct on complaints**

The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or member in such manner as adopted by the Council except for those complaints which should be properly directed to the Standards Board.

**27. Variation revocation and suspension of standing orders**

Any Standing Order, except those printed in bold type may be suspended by resolution in relation to any item of business.

**28. Extraordinary meetings**

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An extraordinary meeting of the Council shall be called by the Chair to deal with a matter of urgency if required to do so in writing, by three members.

29. Standing Orders to be given to members

A copy of these Standing Orders shall be given to each member by the Clerk/RFO, either upon delivery of the member's declaration of acceptance of office and written undertaking to observe the Council's code of conduct, or upon the amendment or revision of the Orders.