

FARNHILL PARISH COUNCIL STANDING ORDERS

1 Councillors

- 1.1 Following election or co-option to the Council, each Councillor will be issued with a copy of the Code of Conduct and Standing Orders of the Council. They will sign the form of Declaration of Acceptance of Office in the presence of the Clerk of the Council, or of a Councillor who has been specifically designated by the Council for this purpose.
- 1.2 All Councillors will observe the Code of Conduct at all times when on Council business and no member will act in such a way that will bring the Council into disrepute, behave offensively in meetings or obstruct the Council's business.
- 1.3 The Code of Conduct adopted by the Council defines when a Councillor will declare a disclosable personal or pecuniary interest in an item for discussion at a Council meeting the Councillor will declare that interest and the nature of the interest at the earliest opportunity and will be subject to statutory limitations or restrictions under the code on their right to participate and vote on the matter.
 - If a Councillor who declares an interest which relates to an interest in Appendix A of Farnhill Parish Council Code of Conduct which is a sensitive interest the member shall not participate in a discussion or vote on the matter. Where a matter arises at a meeting which relates to an interest in Appendix B, the member shall not vote on the matter. He or she may speak on the matter only if members of the public are also allowed to speak at the meeting.
 - The Council may decide to lock the meeting once started and everybody who arrives after that will be put in the waiting room and will wait to be invited in by the Clerk. Anybody who leaves the meeting and wishes to return will also have to wait in the waiting room till invited back in.

2 Meetings

- 2.1 Council business can only be dealt with and decided at properly authorised Meetings.
- 2.2 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.
- 2.3 The Clerk to the Council shall serve on the Councillors by email, post or delivery to their residences, a summons confirming the time, place and the Agenda at least three clear days before a Meeting of the Council. The agenda will be agreed between the Clerk and the Chairman prior to the meeting.
- 2.4 The Clerk to the Council shall give public notice of the time, place and Agenda at least three clear days before a Meeting of the Council. The minimum three clear days for notice of a meeting does not include 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.
- 2.5 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. Once the Council has resolved to exclude the press and public from the meeting the Clerk will remove members of the press and public from the meeting by putting them in the waiting room.
- 2.6 The decisions coming out of the 'confidential' part of the meeting must be put in the meeting minutes.

- 2.7 Meetings will normally be held monthly on the fourth Thursday of the month, unless the Council decides otherwise.
- 2.8 Under normal circumstances, the Chairman shall ensure the Meeting does not last more than two hours.
- 2.9 The Council may only take decisions on items clearly specified on the Agenda. If agreed by the chairman, any other items which are not on the Agenda may be discussed, but no decision should be made at that meeting. However, if an item arises requiring a decision which is not on the Agenda and any delay in making a decision would be against the public interest, the item can be added to the agenda.
- 2.10 Subject to Standing Order 2.14 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 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.
- 2.11 A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.
- 2.12 The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.
- 2.13 No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and three members shall constitute a quorum.
- 2.14 If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.
- 2.15 The Chairman of the Council, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman of the Council (if there is one) 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.
- 2.16 Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council (if there is one).
- 2.17 Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.
- 2.18 The chairman of a meeting 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.
- 2.19 See standing orders 4.8 and 4.9 for the different rules that apply in the election of the Chairman of the Council at the annual meeting of the Council.
- 2.20 Unless standing orders provide otherwise, voting on a 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. The Clerk will record the votes cast and the outcome of the vote. The minutes will reflect the decision of the council.
- 2.21 Minutes of the Meeting will be kept by the Clerk or other person nominated by the person presiding at the Meeting.
- 2.22 If the Council’s gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.
- 2.23 A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council’s code of conduct in a matter being

considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.

- 2.24 Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the Council's code of conduct. He may return to the meeting after it has considered the matter in which he had the interest.
- 2.25 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.
- 2.26 A dispensation may be if having regard to all relevant circumstances any of the following apply:
 - 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;
 - 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.

3 Annual Parish Meeting

The Council will hold an Annual Parish Meeting to enable electors to discuss Parish affairs and to pass resolutions, which will be held between March 1st and June 1st. The notice of the Meeting and the proposed agenda will be displayed at least seven days prior to the Meeting. The Meeting will be chaired by Chairman of the Council or in his absence, by the Vice Chairman. If neither is present the Meeting can nominate a Chairman. The Council should make endeavours to invite local District Councillors, County Councillors and other relevant parties to report to the Meeting on matters relevant to the Parish.

4 Annual Meetings

- 4.1 In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.
- 4.2 In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.
- 4.3 If no other time is fixed, the annual meeting of the Council shall take place at 6pm.
- 4.4 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 decides.
- 4.5 The first business conducted at the annual meeting of the Council shall be the election of the Chairman and Vice-Chairman (if there is one) of the Council.
- 4.6 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.
- 4.7 The Vice-Chairman of the Council, if there is one, 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.

4.8 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 annual 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 shall give a casting vote in the case of an equality of votes.

4.9 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 annual 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 shall give a casting vote in the case of an equality of votes.

5 Extraordinary Meetings

5.1 The Chairman of the Council may convene an extraordinary meeting of the Council at any time.

5.2 If the Chairman of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two councillors.

6 Powers and Duties of the Chairman

6.1 It shall be the duty of the Chairman to ensure that all meetings are run in an orderly manner and to ensure wherever possible that all Council Business is dealt with efficiently during the course of the meeting. To this extent the Chairman shall have sole responsibility for deciding the period of time and the length of debate allocated to any item.

7 Clerk to the Council

7.1 The Clerk to the Council will be the Proper Officer and the Responsible Finance Officer of the Council

7.2 The Council delegates to the Clerk to the Council the authority to incur expenditure on behalf of the Council which is necessary to carry out any repair replacement or other work which is of such extreme urgency that it must be done at once, whether or not there is any budgetary provision for the expenditure, subject to a limit of £500. The Clerk to the Council shall discuss the action with the Chairman at the time and report the action to the Council as soon as practicable thereafter.

7.3 The Council delegates to the Clerk to the Council the authority to respond to minor Planning Applications after circulating to Councillors and using the comments to make a decision, for applications which need a response between meetings.

7.4 In the event that a normal face to face meeting is not able to take place The Council empowers the clerk to do anything expedient and necessary to ensure the continuous business of the Council and to deal with mandatory undertakings in order to prevent the authority from incurring liability during the period that the delegation is applicable.

7.5 The Clerk shall:

- convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;

- facilitate inspection of the minute book by local government electors;
- receive and retain copies of byelaws made by other local authorities;

8 Finance

- 8.1 The Financial Regulations prepared, adopted and operated by the Council will be reviewed annually and amended if deemed necessary by the Council.

9. Conduct of Members

- 9.1 No Member shall, in the name of or on behalf of the Council, enter into correspondence, or inspect any lands or premises which the Council has a right or duty to inspect, or issue orders, instructions or directions, unless authorised to do so by the Council.
- 9.2 An individual Member has no statutory authority on his or her own. The power of the Council comes from the majority of Members acting together as a whole. The main role of a Member is to represent the Parish and to take part in decision-making by the Council. Members must act in the interests of the Parish as a whole, not individuals.
- 9.3 A Member may be asked to represent the Parish at meetings of the District Council or the County Council. Where this happens, the Member should ensure that he or she gives the views of the Parish Council and not their own personal views. An individual Member cannot commit the Council to anything nor give instructions to Council employees; neither can they enter another person's property without invitation.

10 Confidential Business

No Member of the Council or staff shall disclose confidential information or personal data without legal justification.

11 District and County Councillors

District and County Councillors, who are not also Parish Councillors, shall be invited to attend meetings and shall be sent copies of agendas, minutes and other relevant documentation. They may be allowed to speak at the discretion of the Chairman.

12 Admission of the Public and Press to Meetings

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

Members of the public may only speak at Meetings with the express approval of the Chairman. If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that he or she be removed from the meeting room.

13. Execution and Sealing of Legal Deeds

- 13.1 A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- 13.2 Subject to standing order 13.1, any two councillors may sign, on behalf of the Council, any deed required by law and the Clerk shall witness their signatures.

14. Management of Information and Inspection of Documents

- 14.1 In accordance with freedom of information legislation, the Council shall respond to requests for information held by the Council.
- 14.2 The Council shall publish information in accordance with the requirements of the Smaller Authorities (Transparency Requirements) (England) Regulations 2015.
- 14.3 A Member may for the purpose of his or her duty inspect any document in possession of the Council by prior appointment with the Parish Clerk.
- 14.4 All Minutes kept by the Council shall be open for inspection by any Member of the Council by prior arrangement with the Parish Clerk.
- 14.5 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.
- 14.6 The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and 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).
- 14.7 The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.
- 14.8 Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification

15 Co-opted Members

- 15.1 If a Member vacancy arises during the term of office of the Council, for whatever reason, the Council shall have the power to co-opt a Member after the statutory advertising period.
- 15.2 The co-opted Member will have all the rights and powers of an Elected Member. The term of office of the co-opted Member will cease at the same time as the term of office of Elected Members.

16. Responsibilities Under Data Protection Legislation

- 16.1 The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.
- 16.2 The Council shall have a written policy in place for responding to and managing a personal data breach.
- 16.3
- 16.4 The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.
- 16.5 The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.
- 16.6 The Council shall maintain a written record of its processing activities.

17. General

- 17.1 These Standing Orders will be reviewed annually by the Clerk and the Chairman, and any amendments will be decided by the Council.
- 17.2 These Standing Orders (except ones that incorporate mandatory statutory requirements) may be suspended and/or modified at any time and for any period of time by resolution; such decision will be included in the Minutes. The suspension will not be taken lightly and will be time limited
- 17.3 In these Standing Orders words implying one gender shall include both genders

- and the singular includes the plural and vice versa.
- 17.4 During the course of Meetings of the Council, the Chairman's decision as to the interpretation of the Standing Orders will be final.

Adoption of Standing Orders

*These Standing Orders were approved and adopted at the Meeting of the Council held on
.....25.04.2024.....*

Signed (Clerk)... J. Fieldhouse.....