

LITTLE MARLOW PARISH COUNCIL

STANDING ORDERS

Meetings

1. Meetings of the Council shall be held on such dates and times and at such a place as the Council may direct.

(a) Smoking is not permitted at any meeting of the Council

2. Annual General Meeting

a) In any election year, the Annual General Meeting shall be held on or within 14 days following the day on which the councillors elected take office.

b) In a year which is not an election year, the Annual General Meeting shall take place on any day in May as determined by the Parish Council.

3. In addition to the Annual General Meeting, a minimum of four meetings shall be held in each year on such dates and times and at such place as the Council may direct.

4. Election of Chairman

The election of the Chairman shall be the first business transacted at the first or annual general meeting of the Council. The Chairman shall be elected annually by the Council from among the Councillors.

5. Duration of Office

The Chairman shall, unless he/she resigns or ceases to be qualified or becomes disqualified, continue in office until his/her successor is elected.

6. Appointment of Vice-Chairman

The Council shall at the first or annual general meeting appoint a Vice-Chairman.

7. Chairman to Preside

At a meeting of the Parish Council the Chairman of the Council, if present, shall preside.

8. Absence of Chairman

If the Chairman of the Council is absent from a meeting of the Council, the Vice-Chairman of the Council, if present, shall preside.

9. Absence of Chairman and Vice-Chairman

If both the Chairman and Vice-Chairman of the Council are absent from a meeting of the Council, such Councillor as the members of the Council present shall choose, shall preside.

10. Chairman to Preside at Annual Parish Meeting

If the Chairman of the Council is present at the Annual Parish Meeting, he/she shall preside.

11. Absence of Chairman from Annual Parish Meeting

If the Chairman of the Parish Council is absent from the Annual Parish Meeting, the Parish Meeting may appoint a person to take the chair and that person shall have, for the purpose of the meeting, the powers and authority of the Chairman in relation to conduct of the meeting.

12. Quorum of the Council

Three members or one-third, whichever is the greater, shall constitute a quorum at meetings of the Council. No business shall be transacted if this number is not present, and the meeting shall be adjourned.

13. Attendance at Meetings

All councillors are required to attend all meetings of the Parish Council. Notice of Absence must be given to the Clerk in advance of the meeting. Reasons for absence may be requested. Notice of absence and acceptance of absence shall be recorded at meetings. Failure to attend any meetings of the Council for a period of six months will result in automatic disqualification of the councillor. Requests for prolonged absence may be made prior to the six month period expiring.

14. Business

a) Notice of Motion

Notice of every motion other than a motion (as listed below that may be moved without notice) shall be given in writing, signed by the member of the council giving the notice, and delivered to the Clerk at least 10 clear days before the next meeting of the council.

b) Urgent Business

A motion to vary the order of business on the grounds of urgency may be proposed by the Chairman, or by any member, and if proposed by the Chairman, may be put to the vote without being seconded, or shall be put to the vote without discussion.

c) Motions not Requiring Notice

- To appoint a Chairman of the Meeting
- To correct the Minutes
- To approve the Minutes
- To alter the order of business
- To close or adjourn the debate
- To refer a matter to a committee
- To appoint a committee or any member thereof
- To adopt a report
- To authorise the sealing of documents
- To amend a motion
- To give leave to withdraw a resolution or amendment
- To extend the time limit for speeches
- To exclude the press or public (see below)
- To silence or eject from the meeting a member named for misconduct (see below)
- To give consent of the Council where such consent is required by these Standing Orders
- To suspend any Standing Order (see below)
- To adjourn the meeting

(d) Business expressly Required by Statute

- To dispose of business, if any, remaining from the last meeting
- To receive such communications as the person presiding may wish to lay before the Council
- To answer questions from Councillors
- To receive and consider reports and minutes of committees and subcommittees
- To receive and consider resolutions and recommendations in the order in which they have been notified
- To authorise the sealing of documents
- If necessary, to authorise the signing of orders for payment

15. Referring Motions to Committees

If the subject matter of any motion of which notice has been given comes within the province of any committee or sub-committee it shall upon being moved and seconded stand referred without discussion to such committee or sub-committee that the Council may determine, for consideration and report.

16. Provision Against Referring Motions to Committees

Provided that the Chairman may if he considers it convenient and conducive to the despatch of business, allow the motion to be dealt with at the meeting at which it is brought forward.

17. Relevance of Motions

Every motion shall be relevant to some matter in relation to which the Council has powers or duties, or which affects the Parish.

18. Questions

A member may ask the Chairman of the Council or the Clerk any question concerning the business of the Council provided 7 clear days notice of the question has been given to the person to whom it is addressed.

No questions not connected with business under discussion shall be asked except during the part of the meeting set aside for questions.

19. Rules of Debate and Motion or Amendment

a) 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 Chairman.

b) All speech should be directed through the Chairman.

c) A motion or amendment shall not be discussed unless it has been proposed and seconded.

d) A member, when seconding a motion or amendment may, if he/she then declares his/her intention to do so, reserve his speech until a later period of the debate.

e) member shall direct his speech to the question under discussion or to a personal explanation or to a point of order. No speech shall exceed 5 minutes except by consent of the Council

f) The Council may invite any member of the public who is considered to have a particular interest, knowledge or expertise relating to any matter under discussion to address the Council and to be questioned. Such member of the public shall not have power to vote on the matter under discussion.

g) A member may move without comment at the conclusion of a speech of another member 'that the Council proceed to the next business', 'that the question now be put', 'that the

debate be now adjourned', or that 'the Council do now adjourn' on the seconding of which the Chairman shall proceed as follows:

On a motion to proceed to the next business; unless in his/her opinion the matter before the meeting has been insufficiently discussed, he shall first give the mover of the original motion a right to reply, and then put to the vote the motion to proceed to next business;

or

On a motion that the question be now put; unless in his/her opinion the matter before the meeting has been insufficiently discussed, he shall first put to the vote the motion that the question be now put, and if it is passed then to give the mover of the of the original motion his right of reply before putting his motion to the vote;

or

On a motion to adjourn the debate or the meeting, if in his opinion the matter before the meeting has not been sufficiently discussed and cannot be reasonably sufficiently discussed on that occasion, he/she shall put the adjournment motion to the vote without giving the mover of the original motion his/her right of reply on that occasion.

h. A motion shall require to be proposed and seconded.

20. Point of Order

A member may rise on a point of order or in personal explanation and shall be entitled to be heard forthwith. A point of order shall relate only to an alleged breach of a standing order or statutory provision and the member shall specify the standing order or statutory provision and the way in which he considers it has been breached. A personal explanation shall be confined to some material part of a former speech by him/her which may appear to have been misunderstood in the present debate.

21. Behaviour of Members

All members must observe the Code of Conduct which was adopted by this Council on 23rd April 2002.

If any member reasonably believes that another member is in breach of the Code of Conduct, that member is under duty to report the breach to the Standards Board.

a) No member shall at a meeting persistently disregard the ruling of the Chairman, wilfully obstruct business or behave irregularly, improperly, or in such a way as to bring the Council into disrepute. If any member contravenes these rules, the Chairman or any other member may move that 'The member named be not further heard', and the motion, if seconded, shall be put and determined without discussion.

b) If a member continues his/her misconduct after a motion under the foregoing paragraph has been carried, the Chairman shall:

Either move that the member leaves the meeting (in which case the motion shall be put and determined without discussion)

Or

Adjourn the meeting of the Council for such a period as his/her discretion shall consider expedient.

c) In the event of a general disturbance which in the opinion of the Chairman renders the due and orderly dispatch of business impossible, the Chairman, in addition to any other power vested in him/her may, without question put, adjourn the meeting of the Council for whatever period he/she shall by his/her discretion consider expedient, and may take such further steps as may be reasonably considered.

22. Interruption by a Member of the Public

If a member of the public interrupts the proceedings at any meeting, the Chairman shall formally warn him/her. If the disturbance continues, the Chairman shall order the member of the public to be removed.

23. 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 or committee has decided whether or not the press and public shall be excluded.

24. Admission of Public and Press to Meetings

The public and press shall be admitted to all meetings of the council and its committees. They may be temporarily excluded by the following resolution:

' That in view of the special/confidential nature of the business about to be transacted, the press and public will be temporarily excluded and they are now instructed to withdraw.'
The special reason for the exclusion shall be given.

At a time during the meetings of the Council, a convenient time in the transaction of business, the Chairman may invite the public to address the meeting.

The Clerk shall afford the press reasonable facilities for the taking of any report of any proceedings at which they are entitled to be present. There shall be no audio or video recording or photographing of the proceedings without the express prior permission of the Council.

25. Confidentiality of Business

a) No member of the Council or of any committee or sub-committee shall disclose to any person not a member of the Council any business declared to be confidential by the Council, the committee or sub-committee as may be the case.

b) Any member in breach of para 25(a) shall be removed from any committee or sub-committee of the Council by the Council.

26. Committees and Subcommittees

The Council may at its Annual General Meeting appoint standing committees or subcommittees. It may appoint such committees and subcommittees at any other time during the council year as is may be deemed necessary. No member of any committee or sub-committee shall hold office beyond the end of the council year, and a committee or sub-committee may be dissolved at any time during the council year. A committee shall meet in public with due notice of its meeting advertised. A sub-committee must report to full council its findings and recommendations.

27. Inclusion on Committees and Subcommittees of Non-Members of the Council

A committee appointed under this section (other than a committee or sub-committee for regulating and controlling the finances of the council) may include persons who are not members of the council up to a maximum one-third of the total number.

28. Size, Term of Office and Area of Committee or Sub-committee

The number of members of a committee or sub-committee appointed under this section, their term of office (not exceeding beyond the council year), and the area, if any, within which the committee or sub-committee is to exercise its authority, shall be fixed by the council.

29. Register of Member's Interests

The Clerk will hold a Register of Member's interests, or a copy thereof, in accordance with agreement reached with the Monitoring Officer of Wycombe District Council, and as required by statute.

30. Relationship within the Council

If a candidate for any appointment under the Council is to his or her knowledge related to any member of or the holder of any office under the Council, he/she and the person to whom he/she is related, shall disclose the relationship in writing to the Clerk. A candidate who fails to do so shall be disqualified for such appointment, and if already appointed, shall be dismissed without notice. The Clerk shall report to the Council or to the appropriate committee any such disclosure. Where a relationship to a member is disclosed this Standing Order shall apply.

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

31. Canvassing of, and Recommendation by Members

a) Canvassing of members of the Council or any committee or sub-committee, directly or indirectly for any appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make known the purpose of this paragraph to all members of the Council.

b) A member of the Council or of any committee or sub-committee shall not solicit for any person any appointment under the Council, nor recommend any person for such appointment or promotion, but any such member may give a written testimonial of a candidate's ability, experience or character for admission to the Council with an application for an appointment.

Paragraph 29 a & b above shall apply to tenders as if the person making the tender were a candidate for an appointment.

32. Liaison with County and District Councillors

A Summons and Agenda for each meeting shall be sent to the County and District Councillors for the appropriate division/ward.

33. Planning Applications

The Clerk shall, as soon as it is received, record the following particulars of every planning application received by the Council;

- The date on which it was received
- The name of the applicant
- The place to which it relates

The Clerk shall notify the receipt of every planning application to the Chairman/Chair of Planning Committee, or their deputies within 48 hours of receipt.

Financial Standing Orders and Standing Orders on Contracts

1. Signing of Cheques

All cheques shall be signed by a minimum of two councillors. The cheque stubs should be initialled by at least one signatory to the cheque.

The Clerk shall have the authority to sign cheques on the Petty Cash account to a maximum value of £100.

2. Audit and Internal Audit of Accounts

a) The accounts shall be audited annually by the external auditor engaged by Wycombe District Council.

b) The monthly accounts shall be received by the council at its regular meetings and approved by a minimum of two councillors.

c) An Internal Auditor shall be appointed annually by the Council and a fee as approved annually paid to him/her. He/she will operate under the terms of reference set by CIPFA and the guidelines set by the Audit Commission.

3. Openness of Accounts

The accounts and finances of the Council will be made available to electors within the parish on demand. Copies of the annual financial report may be requested, but a fee, to be decided may be levied.

4 STANDING ORDER ON CONTRACTS

a). Estimates Comparative estimates (normally three) must be sought whenever it is possible that the cost of any single purchase of equipment, work or service is likely to exceed Eight hundred pounds (£800).

b) In the event that the Clerk is unable to obtain three comparative estimates, the Council may waive the conditions in para (a)

c). Where it is intended to enter into a Contract exceeding Ten thousand pounds (£10,000) in value for the supply of goods or materials for the execution of works, the Clerk shall give at least three weeks public notice of such intention in the same manner as public notice of meetings of the Council is given.

d) Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of Twenty thousand pounds (£20,000) shall be procured on the basis of a formal tender as summarised below.

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 execution of works shall be drawn up;

iii) tenders are to be sent, in a sealed marked envelope, to the Clerk by a stated date and time; iv) tenders submitted are to be opened, after the stated closing date and time, by the Clerk 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.

e) The Council or a committee is not bound to accept the lowest tender, estimate or quote. Any tender notice shall contain a reference to the Standing Orders regarding improper activity.

f) Authorities

(i) Authority by resolution of the Council must be obtained before any monies are committed for any equipment, work or services which are not considered as normal maintenance, routine expenditure or repair and which has not been provided for in the annual budget. When both these provisions have been complied with, Committees of the Council may spend up to £200 on any single item of equipment, work or service without reference to the Council.

(ii) When the equipment, work or service is NOT normal maintenance or repair, but has been specifically provided for in the budget, the appropriate Committee shall have the same restrictions as in para (i) above.

g) Works Orders Orders for all equipment, work or services must be issued in every case and must be issued and signed by the Clerk of the Council.

h) Emergency Procedures In an emergency the Chairman of the Council and the Chairman of the appropriate Committee in consultation with the Clerk, may authorise essential expenditure, any action taken to be ratified at the next meeting of the Parish Council.

i) A notice issued under this standing order shall contain a statement of the effect of financial standing orders No. 5

5. Pecuniary Interest of Member of Council

If any member of the council has any pecuniary interest direct or indirect in any contract, proposed contract, or other matter, that member shall withdraw from the meeting while the contract, proposed contract or other related matter is under consideration by the Council unless the Council invite him/her to remain.

6. Responsible Finance Officer

The Clerk is currently the Responsible Finance Officer. If necessary, a separate Responsible Finance Officer may be appointed.