

ATWICK PARISH COUNCIL

Standing Orders

1. Meetings generally

- a. Atwick Parish Council shall normally meet bi-monthly: May, July, September, November, January and March.
- b. 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.
- c. 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.
- d. The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting
- e. 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.
- f. Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- g. The period of time designated for public participation at a meeting in accordance with standing order 1(e) above shall not exceed 10 minutes unless directed by the chairman of the meeting.
- h. Subject to standing order 1(f) above, a member of the public shall not speak for more than 5 minutes.
- i. In accordance with standing order 1(e) above, a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.
- j. A person who speaks at a meeting shall direct his comments to the chairman of the meeting.
- k. Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.
- l. Members of the public have the right to record the proceedings. The activity must not be disruptive to the meeting. The wishes of a member of the public who does not wish to be recorded must be respected.
- m. 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.
- n. 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 any).

- o. 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.
- p. The meeting shall be quorate when there are four or more councillors with voting rights present and voting. Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors. In the event of a tied vote, the Chairman may exercise a casting vote.
- q. The minutes of a meeting shall include an accurate record of the following:
 - i. the time and place of the meeting;
 - ii. the names of councillors present and absent;
 - iii. interests that have been declared by councillors and non-councillors with voting rights;
 - iv. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
 - v. if there was a public participation session; and
 - vi. the resolutions made.
- r. A councillor 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. (See Code of Conduct and Dispensations – 1.6)
- s. 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.
- t. A meeting shall not exceed a period of 2.5 hours.

1.1 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.
- b. In a year which is not an election year, the annual meeting of a council shall be held on such day in May as the council may direct.
- c. If no other time is fixed, the annual meeting of the council shall take place at 19.30.
- d. 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 directs.
- e. The first business conducted at the annual meeting of the council shall be the election of the Chairman and Vice-Chairman (if any) of the Council.
- f. 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.
- g. The Vice-Chairman of the Council, if any, 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.
- h. 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 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 must give a casting vote in the case of an equality of votes.
- i. 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 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 must give a casting vote in the case of an equality of votes.

- j. Following the election of the Chairman of the Council and Vice-Chairman (if any) of the Council at the annual meeting of the council, the business of the annual meeting shall include:
 - i. In an election year, delivery by the Chairman of the Council and councillors of their acceptance of office forms unless the council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council of his acceptance of office form unless the council resolves for this to be done at a later date;
 - ii. Confirmation of the accuracy of the minutes of the last meeting of the council; Receipt of the minutes of the last meeting of a committee and standing orders.

1.2 Extraordinary meetings of the council and committees and sub-committees

- 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 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 must be signed by the two councillors.

1.3 Resolutions by Circulation

The Chairman may arrange for a matter for decision to be circulated. Where any Councillor feels that an extraordinary meeting is required to fully discuss the matter then they shall contact the Chairman and request one as per 1:2 (a) above.

1.4 Voting on appointments

Where more than two 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. A tie in votes may be settled by the casting vote exercisable by the chairman of the meeting.

1.5 Handling confidential or sensitive information

- a. The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential or sensitive information which for special reasons would not be in the public interest.
- b. Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.

1:6 Code of conduct and dispensations

- a. All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the East Riding of Yorkshire Council.
- b. 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 a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.
- c. 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.

- d. 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.
- e. A decision as to whether to grant a dispensation shall be made by the council and that decision is final.
- f. A dispensation request shall confirm:
 - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - iv. an explanation as to why the dispensation is sought.

2 Proper Officer

- a. The Proper Officer shall be either (i) the clerk or (ii) other staff member(s) nominated by the council to undertake the work of the Proper Officer when the Proper Officer is absent.
- b. The Proper Officer shall: at least three clear days before a meeting of the council, serve on councillors a summons, by email, confirming the time, place and the agenda provided any such email contains the electronic signature and title of the Proper Officer.
 - i. give public notice of the time, place and agenda at least three clear days before a meeting of the council or a meeting of a committee or a sub-committee;
 - ii. convene a meeting of full council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;
 - iii. retain acceptance of office forms from councillors;
 - iv. retain a copy of every councillor's register of interests;
 - v. assist with responding to requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the council's policies and procedures relating to the same;
 - vi. receive and send general correspondence and notices on behalf of the council except where there is a resolution to the contrary;
 - vii. manage the organisation, storage of, access to and destruction of information held by the council in paper and electronic form;
 - viii. arrange for legal deeds to be executed;
 - ix. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the council in accordance with the council's financial regulations;
 - x. record every planning application notified to the council and the council's response to the local planning authority;
 - xi. refer a planning application received by the council to the Chairman or in his absence the Vice-Chairman of the Council-Chairman within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the council;
 - xii. responsible for advertising co-option vacancies, ensuring that the correct procedures are in place and notified to Members.

3 Responsible Financial Officer

The council shall appoint appropriate staff member(s) to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

3:1 Accounts and accounting statements

- a. All payments by the council shall be authorised, approved and paid in accordance with the law, proper practices and the council's financial regulations.

- b. The Responsible Financial Officer shall supply to each councillor, as soon as practicable, a statement to summarise:
 - i. the council's receipts and payments
 - ii. the balances held at 31 March
- c. As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
 - i. each councillor with a statement summarising the council's receipts and payments for the last quarter and the year to date for information; and
 - ii. to the full council the accounting statements for the year for consideration and approval.

3:2 Financial controls and procurement

- 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 keeping of accounting records and systems of internal controls;
 - ii. the assessment and management of financial risks faced by the council
- b. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c. The Council shall normally set the precept at the November Council meeting or be another agreed date to meet the appropriate submission date.

4 Requests for information

- a. Requests for information held by the council shall be handled in accordance with the council's policy in respect of handling requests under the Freedom of Information Act 2000 and the Data Protection Act 1998.
- b. Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the chairman. The council shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000.

5 Communicating with District and County or Unitary councillors

An invitation to attend a meeting of the council shall be sent, together with the agenda, to the ward councillor(s) of the East Riding County Council representing the area of Atwick Parish Council.

6 Restrictions on councillor activities

Unless authorised by a resolution, no councillor shall:

- i. inspect any land and/or premises which the council has a right or duty to inspect; or
- ii. issue orders, instructions, directions or commit the Council to expenditure.

7 Rules of debate at meetings

- a. Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairman of the meeting.
- b. A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- c. An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- d. One or more amendments may be discussed together if the chairman of the meeting considers this expedient but each amendment shall be voted upon separately.

- e. A point of order shall be decided by the chairman of the meeting and his decision shall be final.
- f. When a motion is under debate, no other motion shall be moved except:
 - i to amend the motion;
 - ii to proceed to the next business
 - iii to adjourn the debate;
 - iv to put the motion to a vote;
 - v to ask a person to be no longer heard or to leave the meeting;
 - vi to refer a motion to a committee or sub-committee for consideration;
 - vii to exclude the public and press;
 - viii to adjourn the meeting; or
 - ix to suspend particular standing order(s) excepting those which reflect mandatory statutory requirements.
- g. Before a motion is put to the vote, the chairman of the meeting shall be satisfied that the motion has been sufficiently debated.

8. Disorderly conduct at meetings

- a. No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- b. If person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- c. If a resolution made under standing order above is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.