

ASHTON UNDER HILL PARISH COUNCIL

Clerk to the Council: Michelle English, Delamere House, Hill Furze, Pershore, WR10 2NB,

Tel 01386 860502

Standing Orders

Adopted by the Council on

1. MEETINGS

- a. 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.
- 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 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.
- e. The period of time which is designated for public participation in accordance with standing order 1(d) above is at the Chairman's discretion, but in any event shall not exceed 30 minutes.
- f. Subject to standing order 1(e) above, each member of the public is entitled to speak once only in respect of business itemised on the agenda and shall not speak for more than 5 minutes.
- g. In accordance with standing order 1(d) 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.
- h. In accordance with standing order 1(g) above, the Chairman may direct that a response to a question posed by a member of the public be referred to a Councillor for an oral response or to an employee for a written or oral response.
- i. A record of a public participation session at a meeting shall be included in the minutes of that meeting.

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- j. A person shall stand when requesting to speak and when speaking (except when a person has a disability or is likely to suffer discomfort). The Chairman may at any time permit an individual to be seated when speaking.
- k. Any person speaking at a meeting shall address his comments to the Chairman.
- l. 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.
- m. Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's prior written consent.
- n. 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.
- o. Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman may in his absence be done by, to or before the Vice-Chairman (if any).
- p. 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.
- q. Subject to model standing order 1 (y) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.
- r. 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.
- s. Voting on any question shall be by a show of hands or on paper if it is a delicate situation. 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.
- t. The minutes of a meeting shall record the names of Councillors present and absent.
- u. 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.
- v. The code of conduct adopted by the Council shall apply to Councillors in

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respect of the entire meeting.

- w. 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.
- x. 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 in no case shall the quorum of a meeting be less than 3.
- y. 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.
- z. Meetings shall not exceed a period of 2.5 hours.

2. Ordinary Council meetings

Also as above

- 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 6pm.
- d. In addition to the annual meeting of the Council, the council will hold a meeting on the first Second Tuesday of every other month at 7.00pm, except for August
- e. The election of the Chairman and Vice-Chairman of the Council shall be the first business completed at the annual meeting 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.

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- 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 of the Council at the annual meeting of the Council, the order of business shall be as follows.
 - 1. In an election year, delivery by Councillors of their declarations of acceptance of office.
 - 2. Confirmation of the accuracy of the minutes of the last meeting of the Council and
to receive and note minutes of and/or to determine recommendations made by
committees.
 - 3. Review of delegation arrangements to committees, sub-committees, employees
and other local authorities.
 - 4. Review of the terms of references for committees.
 - 5. Receipt of nominations to existing committees.
 - 6. Appointment of any new committees, confirmation of the terms of reference, the
number of members (including, if appropriate, substitute Councillors) and receipt of
nominations to them.

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7. Review and adoption of appropriate standing orders and financial regulations.
8. Review of arrangements, including any charters, with other local authorities and review of contributions made to expenditure incurred by other local authorities.
9. Review of representation on or work with external bodies and arrangements for reporting back.
10. In a year of elections, if a Council's period of eligibility to exercise the power of well being expired the day before the annual meeting, to review and make arrangements to reaffirm eligibility.
11. Review of inventory of land and assets including buildings and office equipment.
12. Review and confirmation of arrangements for insurance cover in respect of all insured risks.
13. Review of the Council's and/or employees' memberships of other bodies.
14. Establishing or reviewing the Council's complaints procedure.
15. Establishing or reviewing the Council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998
16. Establishing or reviewing the Council's policy for dealing with the press/media
17. Setting the dates, times and place of ordinary meetings of the full Council for

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the year ahead.

3 Proper Officer

- a. The Council's Proper Officer shall be the clerk or such other employee as may be nominated by the Council from time to time or such other employee appointed by the Council to undertake the role of the Proper Officer during the Proper Officer's absence. The Proper Officer and the employee appointed to act as such during the Proper Officer's absence shall fulfill the duties assigned to the Proper Officer in standing orders.
- b. The Council's Proper Officer shall do the following.
 1. Upon the Council having first resolved that service of summons on Councillors confirming the time, date, venue and the agenda of a meeting by delivery or post at their residences at least 3 clear days before a meeting is not expedient, electronically serve on Councillors a summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee and a sub-committee at least 3 clear days before the meeting provided any such email contains the electronic signature and title of the Proper Officer.
 2. Give public notice of the time, date, venue and agenda at least 3 clear days before a meeting of the Council or a meeting of a committee or a sub-committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by Councillors is signed by them).
 3. Subject to standing orders include in the agenda all motions in the order received unless a Councillor has given written notice at least (2) days before the meeting confirming his withdrawal of it.
 4. 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 order.
 5. Make available for inspection the minutes of meetings.
 6. Receive and retain copies of byelaws made by other local authorities.
 7. Receive and retain declarations of acceptance of office from Councillors.
 8. Retain a copy of every Councillor's register of interests and any changes to it and keep copies of the same available for inspection.

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9. Keep proper records required before and after meetings;
10. 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.
11. Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
12. Manage the organisation, storage of and access to information held by the Council in paper and electronic form.
13. Arrange for legal deeds [to be sealed using the Council's common seal] OR [to be signed by 2 Councillors] and witnessed (*See also model standing orders 14(a) and (b).*)
14. Arrange for the prompt authorisation, approval, and instruction regarding a payments to be made by the Council in accordance with the Council's financial regulations.
15. Record every planning application notified to the Council and the Council's response to the local planning authority for such purpose;
16. Refer a planning application received by the Council to the Chairman or in his absence the Vice-Chairman of the Council within 2 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.
17. Retain custody of the seal of the Council (if any) which shall not be used without a resolution to that effect.
18. Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.

4. Motions requiring written notice

In accordance with standing order, 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 (7) clear days before the next meeting.

The Proper Officer may, before including a motion in the agenda received in accordance with standing order, correct obvious grammatical or typographical errors

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in the wording of the motion.

If the Proper Officer considers the wording of a motion received in accordance with standing order 4(a) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer in clear and certain language at least (7) clear days before the meeting.

If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Chairman of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to consider whether the motion shall be included or rejected in the agenda.

Having consulted the Chairman or councillors pursuant to standing order, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.

Notice of every motion received in accordance with the Council's standing orders shall be numbered in the order received and shall be entered in a book, which shall be open to inspection by all Councillors.

Every motion rejected in accordance with the Council's standing orders shall be duly recorded with a note by the Proper Officer giving reasons for its rejection in a book for that purpose, which shall be open to inspection by all Councillors.

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.

5. Motions not requiring written notice

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

1. To appoint a person to preside at a meeting.
2. To approve the absences of Councillors.
3. To approve the accuracy of the minutes of the previous meeting.
4. To correct an inaccuracy in the minutes of the previous meeting.
5. To dispose of business, if any, remaining from the last meeting.
6. To alter the order of business on the agenda for reasons of urgency or expedience.
7. To proceed to the next business on the agenda.

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8. To close or adjourn debate.
9. To refer by formal delegation a matter to a committee or to a sub-committee or an employee.
10. To appoint a committee or sub-committee or any Councillors (including substitutes) thereto.
11. To receive nominations to a committee or sub-committee.
12. To dissolve a committee or sub-committee.
13. To note the minutes of a meeting of a committee or sub-committee.
14. To consider a report and/or recommendations made by a committee or a sub-committee or an employee.
15. To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
16. To authorise legal deeds [to be sealed by the Council's common seal] OR [signed by two councillors] and witnessed. To authorise the payment of monies up to (£200).
17. To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
18. To extend the time limit for speeches.
19. To exclude the press and public for all or part of a meeting.
20. To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
21. To give the consent of the Council if such consent is required by standing orders.
22. To suspend any standing order except those which are mandatory by law.

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23. To adjourn the meeting.

24. To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.

25. To answer questions from Councillors.

26. If a motion falls within the terms of reference of a committee or sub-committee or within the delegated powers conferred on an employee, a referral of the same may be made to such committee or sub-committee or employee provided that the Chairman may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

6. Rules of debate

- a. 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.
- b. Subject to standing orders, a motion shall not be considered unless it has been proposed and seconded.
- c. Subject to standing order, a motion included in an agenda not moved by the councillor who tabled it, may be treated as withdrawn.
- d. A motion to amend an original or substantive motion shall not be considered unless proper notice has been given after the original or substantive motion has been seconded and notice of such amendment, shall, if required by the Chairman, be reduced to writing and handed to the Chairman who shall determine the order in which they are considered.
- e. A Councillor may move amendments to his own motion. If a motion has already been seconded, an amendment to it shall be with the consent of the seconder.
- f. Any amendment to a motion shall be either:
 - a) to leave out words;
 - b) to add words;
 - c) to leave out words and add other words.
- g. A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration.

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- h. Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman. No further amendment to a motion shall be moved until the previous amendment has been disposed of.
- i. Subject to Standing Order 6(h) above, one or more amendments may be discussed together if the Chairman considers this expedient but shall be voted upon separately.
- j. Pursuant to standing order 6(h) above, the number of amendments to an original or substantive motion, which may be moved by a councillor, is limited to one.
- k. If an amendment is not carried, other amendments shall be moved in the order directed by the Chairman.
- l. If an amendment is carried, the original motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.
- m. The mover of a motion or the mover of an amendment shall have a right of reply, not exceeding 5 minutes.
- n. Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply in respect of the substantive motion at the very end of debate and immediately before it is put to the vote.
- o. Subject to standing orders 6(m) and (n) above, a Councillor may not speak further in respect of any one motion except to speak once on an amendment moved by another councillor or to make a point of order or to give a personal explanation.
- p. During the debate of a motion, a Councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A Councillor raising a point of order shall identify the standing order which he considers has been breached or specify the irregularity in the meeting he is concerned by.
- q. A point of order shall be decided by the Chairman and his decision shall be final.
- r. With the consent of the seconder and/or of the meeting, a motion or amendment may be withdrawn by the proposer. A councillor shall not speak upon the said motion or amendment unless permission for the withdrawal of the motion or amendment has been refused.
- s. Subject to standing order 6(o) above, when a Councillor's motion is under debate no other motion shall be moved except:

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- a) to amend the motion;
 - b) to proceed to the next business;
 - c) to adjourn the debate;
 - d) to put the motion to a vote;
 - e) to ask a person to be silent or for him to leave the meeting;
 - f) to refer a motion to a committee or sub-committee for consideration;
 - g) to exclude the public and press;
 - h) to adjourn the meeting;
 - i) to suspend any standing order, except those which are mandatory.
- t. In respect of standing order, the Chairman shall first be satisfied that the motion has been sufficiently debated before it is seconded and put to the vote. The Chairman shall call upon the mover of the motion under debate to exercise or waive his right of reply and shall put the motion to the vote after that right has been exercised or waived. The adjournment of a debate or of the meeting shall not prejudice the mover's right of reply at the resumption.