



BISHOPSTOKE PARISH COUNCIL

STANDING ORDERS

**These Standing Orders were adopted
by the Parish Council at its meeting on**

10th September 2024

D Wheal

Clerk to Bishopstoke Parish Council

BISHOPSTOKE PARISH COUNCIL
STANDING ORDERS

Amendment Sheet (from previous version)

Amendment No.	Date Incorporated	Subject
1 (para 28.1.5)	12/03/2024	Update procurement threshold
2 (para 28.2)	12/03/2024	Update procurement threshold
3 (Index Page)	10/09/2024	Reformat index page and correct numbering

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1 Meetings held in public

- 1.1** 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.
- 1.2** When calculating the 3 clear days for the notice of a meeting to Councillors and the public, the day on which notice was issued, the day of the meeting, weekends, bank holidays or a day appointed for public thanksgiving or mourning shall not count.
- 1.3** 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.
- 1.4** Subject to standing order 1.3 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.
- 1.5** The period of time for the Public Session is at the Chair's discretion but shall not normally exceed 15 minutes.
- 1.6** Subject to standing order 1.5 above, each member of the public will usually be entitled to speak once per item they wish to speak on, for up to 3 minutes each, but may be allowed an extension at the Chair's discretion. Members of the public wishing to speak on a particular agenda item may, at the Chair's discretion, be allowed to do so at the time the agenda item is discussed, rather than in the public participation session.
- 1.7** In accordance with standing order 1.4 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.
- 1.8** In accordance with standing order 1.7 above, the Chair 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.
- 1.9** A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- 1.10** A person shall politely indicate when they wish to speak.
- 1.11** Any person speaking at a meeting shall address the Chair.
- 1.12** Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chair shall direct the order of speaking.
- 1.13** As a result of the Openness of Local Government Bodies Regulations 2014, the public may film, photograph, or make an audio recording of a meeting and, may use any other means of enabling persons not present to see or hear the proceedings as they take place, or later.

- 1.14** In accordance with standing order 1.3 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.
- 1.15** Subject to any standing orders which indicate otherwise, anything authorised or required to be undertaken by, to, or before the Chair may, in their absence, be undertaken by, to, or before the Vice-Chair.
- 1.16** The Chair, if present, shall preside at a Council meeting. If the Chair is absent from a meeting, the Vice-Chair, if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.
- 1.17** Subject to standing order 1.25 below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.
- 1.18** The Chair may give an original vote on any matter put to the vote and in the case of an equality of votes may exercise their casting vote whether or not they gave an original vote. *(See also standing orders 2.8 and 2.9 below.)*
- 1.19** Unless standing orders provide otherwise, voting on any question shall be by a show of hands. If the vote is unanimous, it will be recorded as such. Otherwise, the numbers voting in favour, against or abstaining will be recorded. 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 their vote for or against that question. Councillors may also request that their personal vote be recorded. Such a request shall be made before moving on to the next item of business on the agenda.
- 1.20** The minutes of a meeting shall record the names of Councillors present and absent and apologies given.
- 1.21** If prior to a meeting a Councillor has submitted reasons for their 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.
- 1.22** The code of conduct adopted by the Council shall apply to Councillors in respect of the entire meeting.
- 1.23** 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. *(See also standing orders 7 below.)*
- 1.24** No business may be transacted at a full Council meeting unless at least one third of the whole number of Members of the Council are present; in effect five Members. For committees, the quorum is three Members.
- 1.25** 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.
- 1.26** Meetings shall not normally exceed a period of 3 hours.

2. Ordinary Council meetings

See also standing order 1 above

- 2.1** In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the new Councillors elected take office.
- 2.2** In a year which is not an election year, the annual meeting of a Council shall be held on such a day in May as the Council may direct.
- 2.3** If no other time is fixed, the annual meeting of the Council shall take place at 7:30pm.
- 2.4** 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 directs.
- 2.5** The election of the Chair and Vice-Chair of the Council shall be the first business completed at the annual meeting of the Council.
- 2.6** The Chair of the Council, unless they resign or become disqualified, shall continue in office and preside at the annual meeting until a successor is elected at the next annual meeting of the Council.
- 2.7** The Vice-Chair of the Council, unless they resign or become disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.
- 2.8** In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, they shall preside at the meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but must give a casting vote in the case of an equality of votes.
- 2.9** In an election year, if the current Chair of the Council has been re-elected as a member of the Council, they shall preside at the meeting until a new Chair of the Council has been elected. They may exercise an original vote in respect of the election of the new Chair of the Council and must give a casting vote in the case of an equality of votes.
- 2.10** Following the election of the Chair of the Council and the Vice-Chair of the Council at the annual meeting of the Council, the order of business shall be as follows:
 - 2.10.1** In an election year, delivery by Councillors of their declarations of acceptance of office.
 - 2.10.2** 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.
 - 2.10.3** Appointment of any new committees, sub-committees and working groups, confirmation of any new terms of reference, the number of members and receipt of nominations to them.
 - 2.10.4** In a year of elections, if a Council's period of eligibility to exercise the General Power of Competence expired the day before the annual meeting, to review and make arrangements to reaffirm eligibility.

2.10.5 Noting the dates, times and place of ordinary meetings of the full Council for the year ahead.

2.11 The Council has a number of items of business that must be considered annually. These are set out in a separate document, along with the current preferred timetable for looking at each of them.

3 Proper Officer

3.1 The Council's Proper Officer shall be either (i) the Clerk or such other employee as may be nominated by the Council from time to time or (ii) 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 fulfil the duties assigned to the Proper Officer in standing orders.

3.2 The Council's Proper Officer shall do the following:

3.2.1 Sign and serve on Councillors by delivery or post at their residences a summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee or sub-committee at least 3 clear working days before the meeting

OR

Upon the Council having first resolved that service of summons on Councillors confirming the time, date, venue and the agenda for 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 date, time, venue and the agenda of a meeting of the Council, a committee or sub-committee at least 3 clear working days before the meeting providing any such e-mail contains the electronic signature and title of the Proper Officer.

3.2.2 By delivery, post or email, the Proper Officer should provide to Councillors, for all Council, Committee and Sub-Committee meetings, all supporting paperwork at least 3 clear working days before the meeting. Where this is not possible, the agenda should be annotated to indicate which papers are included and which are to follow, and when.

3.2.3 Give public notice of the time, date, venue and agenda at least 3 clear working 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).

3.2.4 Subject to standing orders 4.1 – 4.5 below, include in the agenda all motions in the order received unless a Councillor has given written notice at least 7 days before the meeting confirming the intention to withdraw it.

- 3.2.5** Convene a meeting of Full Council for the election of a new Chair of the Council, occasioned by a casual vacancy in this office, in accordance with standing order 3.2.1 OR 3.2.2 above.
- 3.2.6** Make available for inspection the minutes of meetings.
- 3.2.7** Receive and retain copies of byelaws made by other local authorities.
- 3.2.8** Receive and retain declarations of acceptance of office from Councillors.
- 3.2.9** Retain a copy of every Councillor's declaration of interests and any changes to it and keep copies of the same available for inspection.
- 3.2.10** Keep proper records required before and after meetings.
- 3.2.11** Process all requests made under the Freedom of Information Act 2000, Data Protection Act 2018 and General Data Protection Regulations (2018) in accordance with and subject to the Council's procedures relating to the same.
- 3.2.12** Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
- 3.2.13** Manage the organisation, storage and access to information held by the Council in paper and electronic form.
- 3.2.14** Arrange for legal deeds/documents to be signed by two Councillors and witnessed. (*See also standing orders 14.1 and 14.2.*)
- 3.2.15** Arrange for the prompt authorisation, approval and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations.
- 3.2.16** Record every planning application notified to the Council and the Council's response to the local planning authority.
- 3.2.17** Refer planning applications received by the Council to the Chair or in their absence the Vice-Chair of the Planning Committee.
- 3.2.18** Retain custody of the seal of the Council (if any) which shall not be used without a resolution to that effect.
- 3.2.19** Action or undertake activity or responsibilities instructed by resolution or contained in Standing Orders.
- 3.2.20** Keep records of attendance at meetings (Council, Committee, Working Groups) and at outside bodies as an appointed representative of the Council, and notify any Councillor that has not attended for a period of 5 months.

4 Motions requiring written notice

- 4.1** In accordance with standing order 3.2.4 above, 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.
- 4.2** The Proper Officer may, before including a motion in the agenda received in accordance with standing order 4.1 above, correct obvious grammatical or typographical errors in the wording of the motion.
- 4.3** If the Proper Officer considers the wording of a motion received in accordance with standing order 4.1 above is not clear in its meaning, the motion shall be rejected until the mover of the motion submits it in writing to the Proper Officer in clear and certain language at least 7 clear days before the meeting.
- 4.4** If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Chair 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.
- 4.5** Having consulted the Chair or Councillors pursuant to standing order 4.4 above, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.
- 4.6** 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 register / file, which shall be open to inspection by all Councillors.
- 4.7** 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 which shall be open to inspection by all Councillors.
- 4.8** 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

- 5.1** Motions in respect of the following matters may be moved without written notice:
 - 5.1.1** To appoint a person to preside at a meeting.
 - 5.1.2** To approve the absences of Councillors.
 - 5.1.3** To approve the accuracy of the minutes of the previous meeting.
 - 5.1.4** To correct an inaccuracy in the minutes of the previous meeting.
 - 5.1.5** To dispose of business, if any, remaining from the last meeting.
 - 5.1.6** To alter the order of business on the agenda for reasons of urgency or expedience.

- 5.1.7** To proceed to the next business on the agenda.
 - 5.1.8** To close or adjourn debate.
 - 5.1.9** To refer by formal delegation a matter to a committee or to a sub-committee or an employee.
 - 5.1.10** To appoint a committee or sub-committee or any Councillors thereto.
 - 5.1.11** To receive nominations to a committee or sub-committee.
 - 5.1.12** To dissolve a committee or sub-committee.
 - 5.1.13** To note the minutes of a meeting of a committee or sub-committee.
 - 5.1.14** To consider reports and/or recommendations made by a committee or a sub-committee or an employee.
 - 5.1.15** To consider reports and/or recommendations made by an employee, professional advisor, expert or consultant.
 - 5.1.16** To authorise legal deeds to be signed by two councillors and witnessed.
(*See standing orders 14.1 and 14.2 below.*)
 - 5.1.17** To authorise the payment of monies.
 - 5.1.18** To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
 - 5.1.19** To extend the time limit for speeches.
 - 5.1.20** To exclude the press and public for all or part of a meeting.
 - 5.1.21** To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
 - 5.1.22** To give the consent of the Council if such consent is required by standing orders.
 - 5.1.23** To suspend any standing order except those which are mandatory by statute.
 - 5.1.24** To adjourn the meeting.
 - 5.1.25** To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
 - 5.1.26** To answer questions from Councillors.
- 5.2** 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 Chair may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

6 Rules of debate

- 6.1** Motions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Chair's direction for reasons of expedience.
- 6.2** Subject to standing orders 4.1 – 4.5 above, a motion shall not be considered unless it has been proposed and seconded.
- 6.3** Subject to standing order 3.2.4 above, a motion included in an agenda not moved by the Councillor who tabled it, may be treated as withdrawn.
- 6.4** 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 Chair, be reduced to writing and handed to the Chair who shall determine the order in which they are considered.
- 6.5** Councillors may move amendments to their own motions. If a motion has already been seconded, an amendment to it shall be with the consent of the seconder.
- 6.6** Any amendment to a motion shall be either:
 - 6.6.1** To leave out words.
 - 6.6.2** To add words.
 - 6.6.3** To leave out words and add other words.
- 6.7** A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration.
- 6.8** Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chair. No further amendment to a motion shall be moved until the previous amendment has been disposed of.
- 6.9** Subject to standing order 6.8 above, one or more amendments may be discussed together if the Chair considers this expedient but they shall be voted upon separately.
- 6.10** Pursuant to standing order 6.8 above, the number of amendments to an original or substantive motion, which may be moved by a Councillor, is limited to one.
- 6.11** If an amendment is not carried, other amendments shall be moved in the order directed by the Chair.
- 6.12** 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.
- 6.13** The mover of a motion or the mover of an amendment shall have a right of reply, not exceeding 3 minutes.
- 6.14** 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.

- 6.15** Subject to standing order 6.13. and 6.14 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.
- 6.16** 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 they consider has been breached or specify the irregularity in the meeting they are concerned by.
- 6.17** A point of order shall be decided by the Chair and this decision shall be final.
- 6.18** 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.
- 6.19** Subject to standing order 6.15 above, when a Councillor's motion is under debate no other motion shall be moved except:
- 6.19.1** To amend the motion.
 - 6.19.2** To proceed to the next business.
 - 6.19.3** To adjourn the debate.
 - 6.19.4** To put the motion to a vote.
 - 6.19.5** To ask a person to be silent or for them to leave the meeting.
 - 6.19.6** To refer a motion to a committee or sub-committee for consideration.
 - 6.19.7** To exclude the public and press.
 - 6.19.8** To adjourn the meeting.
 - 6.19.9** To suspend any standing order, except those which are mandatory.
- 6.20** In respect of standing order 6.19.4 above, the Chair shall first be satisfied that the motion has been sufficiently debated before it is seconded and put to the vote. The Chair shall call upon the mover of the motion under debate to exercise or waive their 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.

7 Code of Conduct, Disclosure of Pecuniary Interests and Dispensation Procedures

See also standing orders 1.4 – 1.9 above

- 7.1** All Councillors shall observe the Code of Conduct adopted by the Council as required by Chapter 7 of Part 1 of the Localism Act 2011.
- 7.2** All Councillors shall undertake training in the Code of Conduct within 6 months of the delivery of their declaration of acceptance of office.
- 7.3** All Councillors are to declare any relevant pecuniary interest, referred to as a “disclosable pecuniary interest” in the legislation and these are to be registered with the Borough Council’s monitoring officer and displayed on the Parish website.
- 7.4** A Councillor with a disclosable interest must declare it at the meeting whether that interest is registered or unregistered re Section 31 of the Localism Act 2011. If unregistered, it is to be registered within 28 days of disclosure. If it is sensitive, only the fact that there is an interest, not its nature, has to be declared.
- 7.5** Where an interest has been declared, the Councillor must not take any part or further part in any discussion or voting on the matter in question.
- 7.6** Disclosable pecuniary interests are prescribed by the Relevant Authorities (Disclosure of Pecuniary Interests) Regulations 2012 (S1 2012/1464) and are as follows:
- any employment, trade or office carried on for profit or gain
 - any sponsorship, other than from the relevant authority, towards meeting election expenses or carrying out the duties of a Councillor
 - any contract in which the Councillor has a beneficial interest
 - any beneficial interest in land within the Parish
 - any licence to occupy land for a month or longer in the Parish
 - any tenancies where the landlord is the Parish Council
 - any beneficial interest in securities where that body has a place of business or land within the Parish and the total nominal value of the securities exceeds £25,000 or one-hundredth of the total issued share capital or if the share capital is more than one class, the total nominal value of the shares of any one class exceeds one-hundredth of the total issued share capital of that class
- 7.7** The adopted Code of Conduct is a separate document, which includes notes on disclosable pecuniary interests and dispensations.

8 Questions

- 8.1** Questions may be asked by a Councillor at an appropriate time during a Council meeting but may or may not be answered at that time.

9 Minutes

- 9.1** If a copy of the draft minutes of a preceding meeting has been circulated to Councillors no later than the day of service of the summons to attend the scheduled meeting they shall be taken as read.
- 9.2** No discussion of the draft minutes of a preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the minutes shall be raised in accordance with standing order 5.1.4 above.
- 9.3** Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the Chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- 9.4** If the Chair of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, they shall sign the minutes and include a paragraph in the following terms or to the same effect:
- “The Chair of this meeting does not believe that the minutes of the meeting of the [*Committee name*] held on [*date*] in respect of [*description including agenda item*] were a correct record but their view was not upheld by the majority of the [*Committee name*] and the minutes are confirmed as an accurate record of the proceedings.”
- 9.5** Upon a resolution which confirms the accuracy of the minutes of a meeting, any previous draft minutes or recordings of the meeting shall be destroyed.

10 Disorderly conduct

- 10.1** No person shall obstruct the transaction of business at a meeting or behave offensively or improperly.
- 10.2** If, in the opinion of the Chair, there has been a breach of standing order 10.1 above, the Chair shall express that opinion and thereafter any Councillor (including the Chair) may move that the person be silenced or excluded from the meeting and the motion, if seconded, shall be put forthwith and without discussion.
- 10.3** If a resolution, made in accordance with standing order 10.2 above, is disobeyed, the Chair may take such further steps as may reasonably be necessary to enforce it and/or they may adjourn the meeting.

11 Rescission of previous resolutions

- 11.1** A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months except either by a special motion, the written notice whereof bears the names of at least 3 Councillors of the Council, or by a motion moved in pursuance of the report or recommendation of a committee.
- 11.2** When a special motion or any other motion moved pursuant to standing order 11.1 above has been disposed of, no similar motion may be moved within a further 6 months.

12 Voting on appointments

12.1 When more than 2 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 an absolute majority of votes is given in favour of one person. Any tie may be settled by the Chair's casting vote.

13 Expenditure

13.1 Any expenditure incurred by the Council shall be in accordance with the Council's financial regulations.

13.2 The Council's financial regulations shall be reviewed at least once a year.

13.3 The Council's financial regulations may make provision for the authorisation of the payment of money in exercise of any of the Council's functions to be delegated to a committee, sub-committee or to an employee.

14 Execution and sealing of legal deeds

See also standing order 5.1.16 above

14.1 A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.

14.2 In accordance with a resolution made under standing order 14.1 above, any two members of the Council may sign, on behalf of the Council, any deed required by law, and the Proper Officer shall witness their signatures.

15 Committees, Sub-Committees and Working Groups

See also standing order 1 above for Committees and Sub-Committees

- 15.1** All Councillors may attend any committee, sub-committee or working group meeting of the Council, and may contribute to the discussion.
- 15.2** Only committee members may vote on any item on a committee, sub-committee or working group agenda
- 15.3** The Chair and Vice-Chair are granted ex-officio rights to attend and vote at any committee, sub-committee or working group of which they are not already a member, for the purpose of making the meeting quorate.
- 15.4** Members of all standing committees, sub-committees and working groups can be appointed at the annual meeting of the Council.
- 15.5** The Council can, at any time, appoint such other committees, sub-committees and working groups as may be necessary and can (but is not required to):
 - 15.5.1** Determine their terms of reference.
 - 15.5.2** Permit them to determine the dates of their meetings.
 - 15.5.3** Appoint Councillor or non-Councillor members (unless the appointment of non-Councillors is prohibited by law). The initial term of office must end at or before the next annual meeting.
- 15.6** The Council may, in accordance with standing orders, dissolve a committee, sub-committee or working group at any time.
- 15.7** Unless there is a Council resolution to the contrary, every committee may appoint a sub-committee or working group whose terms of reference and members shall be approved by resolution of the committee.
- 15.8** Standing Order 1 above does NOT apply to Working Groups
- 15.9** Working groups may consist wholly of persons who are non-Councillors
- 15.10** Terms of Reference for the Planning Committee and for the Finance and General Purposes Committee are contained in separate documents.
- 15.11** Terms of reference for all working groups are also contained in separate documents.

16 Extraordinary meetings

See also standing order 1 above

- 16.1** The Chair of the Council may convene an extraordinary meeting of the Council at any time.
- 16.2** If the Chair of the Council does not, or refuses to, call an extraordinary meeting of the Council within 7 days of having been requested to do so by two Councillors, those two Councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two Councillors.
- 16.3** The Chair of a committee (or a sub-committee) may convene an extraordinary meeting of the committee or sub-committee at any time.
- 16.4** If the Chair of a committee (or a sub-committee) does not, or refuses to, call an extraordinary meeting within 7 days of having been requested to do so by two Councillors, those two Councillors may convene an extraordinary meeting of a committee (or a sub-committee). The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two Councillors.

17 Accounts and Financial Statement

- 17.1** All payments by the Council shall be authorised, approved and paid in accordance with the Council's financial regulations.
- 17.2** The Responsible Financial Officer shall supply to each Councillor as soon as practicable after 31 March, 30 June, 30 September and 31 December in each year, or more frequently if required, a statement summarising the Council's receipts and payments for each quarter and the balances held at the end of a quarter. This statement should include a comparison with the budget for the financial year. A Financial Statement prepared on the appropriate accounting basis (receipts and payments, or income and expenditure) for a year to 31 March shall be presented to each Councillor before the end of the following month of May. The Statement of Accounts of the Council (which is subject to external audit), including the annual governance statement, shall be presented to Council for formal approval before 30 June.

18 Estimates / precepts

- 18.1** The Council shall approve written estimates for the coming financial year at its meeting before the end of December, except for the precept requirement which the Council shall approve for the coming financial year at its meeting before the end of January.
- 18.2** Any committee desiring to incur expenditure shall give the Responsible Finance Officer a written estimate of the expenditure recommended for the coming year no later than November.

19 Canvassing of and recommendations by Councillors

- 19.1** Canvassing Councillors or the members of a committee or sub-committee, directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such an appointment. The Proper Officer shall disclose the requirements of this standing order to every candidate.
- 19.2** A Councillor or a member of a committee or sub-committee shall not solicit a person for appointment to or by the Council or recommend a person for such an appointment or for promotion. Nevertheless, any such person may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- 19.3** This standing order shall apply to tenders as if the person submitting the tender was a candidate for an appointment.

20 Inspection of documents

- 20.1** Subject to standing orders to the contrary or in respect of matters which are confidential, a Councillor may, for the purpose of their official duties (but not otherwise), inspect any document in the possession of the Council or a committee or a sub-committee, and request a copy for the same purpose. The minutes of meetings of the Council, its committees or sub-committees shall be available for inspection by Councillors.

21 Unauthorised activities

- 21.1** Unless authorised by a resolution, no individual Councillor shall in the name or on behalf of the Council, a committee or a sub-committee:
- 21.1.1** Perform the function of an inspector for any land and/or premises which the Council has a right or duty to inspect.
- 21.1.2** Issue orders, instructions or directions.

22 Confidential business

- 22.1** Councillors, employees and non-Councillor members of working groups shall not disclose information given in confidence or which they believe, or ought to be aware, is of a confidential nature.
- 22.2** A Councillor in breach of the provisions of standing order 22.1 above may be removed from a committee or a sub-committee by a resolution of the Council.
- 22.3** For the purposes of Council meetings, following a resolution to the effect that the business about to be discussed is confidential, any press and public present will be required to leave the room.

- 22.4** It is desirable to treat the following types of business as confidential:
- 24.4.1** Engagement, terms of service, conduct and dismissal of employees.
 - 24.4.2** Terms of tenders, and proposals and counter-proposals in negotiations for contracts.
 - 24.4.3** Preparation of cases in legal proceedings.
 - 24.4.4** The early stages of any dispute.
- 22.5** When information can no longer be considered confidential, further discussion of it can be moved on to the general agenda.
- 22.6** If an item of confidential business is the subject of a Freedom of Information Request, then disclosure may be allowed. This will be considered on a case by case basis according to the applicable law at the time of the request.

23 General Power of Competence

- 23.1** The General Power of Competence (GPC) was introduced by the Localism Act 2011 and in simple terms it gives councils the power to do anything an individual can do provided it is not prohibited by other legislation. The scope, and some limitations, of the General Power are set out in sections 1 to 6 of the Localism Act 2011.
- 23.2** The GPC enables councils to do things which an individual may generally do anywhere in the UK or elsewhere, for a commercial purpose or otherwise, for a charge or without a charge, without the need to demonstrate that it will benefit the authority, its area, or persons resident or present in its area (although in practice councils will want to realise such benefits).
- 23.3** An eligible council is one which has resolved to adopt the GPC, with at least two thirds of its members being declared elected and the Clerk must hold an appropriate qualification (Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012).
- 23.4** There are some limitations on the General Power, either because they are not things which an individual can do or because they are excluded by the Act. The GPC will not: provide councils with new powers to raise tax or precepts or to borrow; enable councils to set charges for mandatory services; impose fines or create offences or byelaws, over and above existing powers to do so; override existing legislation in place before the Localism Act 2011, so-called 'pre-commencement limitations' (however powers enacted after commencement of the GPC will only limit the GPC if this is explicitly stated in the legislation).
- 23.5** Where using the GPC for charging or trading purposes, the recipient should agree to the service being provided, the income from charges should not exceed the cost of provision and, where things are done for commercial purposes, this must be done through a specified type of company.

24 Matters affecting Council employees

- 24.1** If a meeting considers any matter personal to a Council employee, it shall not be considered until the Council OR the appropriate committee OR sub-committee has decided whether or not the press and public should be excluded pursuant to standing order 1.3 above.
- 24.2** The Clerk shall notify the Chair, or in their absence the Vice-Chair, of any absence occasioned by illness or urgency.
- 24.3** The Human Resources Working Group shall conduct an annual review and/or appraisal of the performance of the Clerk and shall keep a written record of it. The review and/or appraisal shall be reported back and shall be subject to approval by resolution by full Council.
- 24.4** The Clerk will conduct an annual review and/or appraisal of the other officers and staff and report back to the Human Resources Working Group.
- 24.5** Subject to the Council's policy regarding the handling of grievance matters, the Clerk shall contact the Chair or Vice-Chair, in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the full Council.
- 24.6** Subject to the Council's policy regarding the handling of grievance and disciplinary matters, if an informal or formal grievance matter raised by a member of staff relates to the Chair or Vice-Chair of a committee OR sub-committee, this shall be communicated to another member of the committee OR sub-committee, and shall be reported back to and progressed by resolution of the full Council.
- 24.7** Any persons responsible for all or part of the management of Council employees shall keep written records of all meetings relating to their performance, and capabilities, grievance and disciplinary matters.
- 24.8** The Council shall keep all written records relating to employees secure. All paper records shall be secured under lock and key, and electronic records shall be password protected.
- 24.9** Records documenting reasons for an employee's absence due to ill health or details of a medical condition shall be made available only to those persons with responsibility for the same.
- 24.10** Only persons with line management responsibilities shall have access to employee records referred to in standing orders 24.7 and 24.8 above if so justified.
- 24.11** Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 24.7 and 24.8 above shall be provided only to the Chair of the Council.
- 24.12** The Council's complaints procedure is contained in a separate document.

25 Freedom of Information Act 2000

- 25.1** All requests for information held by the Council shall be processed in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000.
- 25.2** Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Chair of the Finance and General Purposes Committee. The said committee shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000 including exercising the powers of the Proper Officer in respect of Freedom of Information requests set out under standing order 3.2.11 above.

26 Relations with the press, media and social network sites

- 26.1** All requests from the press, media or via social network sites for an oral or written statement or comment from the Council shall be processed in accordance with the Council's policy in respect of dealing with the press, media or social network sites.
- 26.2** In accordance with the Council's policy in respect of dealing with the press, media and social network sites, Councillors shall not, unless authorised by resolution, claim to be speaking on behalf of Bishopstoke Parish Council when providing oral or written statements, or written articles, to the press or other media.
- 26.3** Bishopstoke Parish Council's policy covering relations with the press, media and social network sites is contained in a separate document.

27 Liaison with Borough and County Councillors

- 27.1** An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the Councillor of the Borough and County Council representing its electoral wards.
- 27.2** Unless the Council otherwise orders, a copy of each letter sent to the Borough or County Council shall be sent to the Borough and County Councillors representing its electoral wards.

28 Financial matters

- 28.1** 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:
- 28.1.1** The accounting records and systems of internal control.
 - 28.1.2** The assessment and management of financial risks faced by the Council.
 - 28.1.3** The work of the Internal Auditor and the receipt of regular reports from the Internal Auditor, which shall be required at least annually.
 - 28.1.4** The inspection and copying by Councillors and local electors of the Council's accounts and/or orders of payments.
 - 28.1.5** Procurement policies (subject to standing order 28.2 below) including the setting of values for different procedures where the contract has an estimated value of less than £30,000.
- 28.2** Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £30,000 shall be procured on the basis of a formal tender as summarised in standing order 28.3 below.
- 28.3** Any formal tender process shall comprise the following steps:
- 28.3.1** A public notice of intention to place a contract to be placed on the Council's website, Contracts Finder and potentially Find-A-Tender.
 - 28.3.2** A specification of the goods, materials, services and the execution of works shall be drawn up.
 - 28.3.3** Tenders are to be sent, in a sealed, marked envelope, to the Proper Officer by a stated date and time.
 - 28.3.4** Tenders submitted are to be opened, after the stated closing date and time, by the Proper Officer and at least one member of the Council.
 - 28.3.5** Tenders are then to be assessed and reported to the appropriate meeting of Council or committee.
- 28.4** Neither the Council, nor any committee, is bound to accept the lowest tender, estimate or quote.
- 28.5** Where the value of a contract is likely to exceed the thresholds specified by the Office of Government Commerce, the Council must consider whether the Public Contracts Regulations 2015 (SI No. 102, as amended) and the Utilities Contracts Regulations 2006 (SI No. 6, as amended) apply to the contract and, if either of those Regulations apply, the Council must publish the tender on Contracts Finder and, if the upper threshold is reached, Find-A-Tender.

29 Allegations of breaches of the Code of Conduct

- 29.1** On receipt of a notification that there has been an alleged breach of the code of conduct the Proper Officer shall refer it to the Chair of the Council.
- 29.2** Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chair of the Council of that fact, who, upon receipt of such notification, shall nominate a person to assume the duties of the Proper Officer set out in the remainder of this standing order, who shall continue to act in respect of that matter as such until the complaint is resolved.
- 29.3** Where a notification relates to a complaint made by an employee (not being the Proper Officer) the Proper Officer shall ensure that the employee in question does not deal with any aspect of the complaint.
- 29.4** The subject matter of notifications shall be confidential and, insofar as it is possible to do so by law, the Council (including the Proper Officer and the Chair of the Council) shall take the steps set out below, together with other steps considered necessary, to maintain confidentiality.
- 29.4.1** Draft the summonses and agendas in such a way that the identity of those involved and subject matter of the complaint are not disclosed.
- 29.4.2** Ensure that any background papers containing the information set out in standing order 29.1 above are not made public.
- 29.4.3** Ensure that the public and press are excluded from meetings as appropriate.
- 29.4.4** Ensure that the minutes of meetings preserve confidentiality.
- 29.4.5** Consider any liaison that may be required with the person or body with statutory responsibility for the investigation of the matter.
- 29.5** Standing order 29.4 above should not be taken to prohibit the Council (whether through the Proper Officer or the Chair) disclosing information to members and officers of the Council or to other persons where such disclosure is necessary to deal with the complaint or is required by law.
- 29.6** Any investigatory committee set up by the Chair shall have the power to:
- 29.6.1** Seek documentary and other evidence from the person or body with statutory responsibility for investigation of the matter.
- 29.6.2** Seek and share information relevant to the complaint.
- 29.6.3** Grant the member involved a financial indemnity in respect of legal costs, which shall be in accordance with the law and subject to approval by a meeting of the full Council.
- 29.7** References in standing order 29 to a notification shall be taken to refer to a communication of any kind which relates to a breach or an alleged breach of the code of conduct by a Councillor.

30 Variation, revocation and suspension of Standing Orders

- 30.1** Any or every part of the standing orders, except those which are mandatory by law, may be suspended by resolution in relation to any specific item of business.
- 30.2** A motion to permanently add to or to vary or to revoke one or more of the Council's standing orders not mandatory by law shall not be carried unless two-thirds of the Councillors at a meeting of the Council vote in favour of the same.

31 Standing Orders to be given to Councillors

- 31.1** The Proper Officer shall provide a copy of the Council's standing orders to a Councillor upon delivery of their Declaration of Acceptance of Office.
- 31.2** The Chair's decision as to the application of standing orders at meetings shall be final.
- 31.3** A Councillor's failure to observe standing orders more than three times in one meeting may result in that Councillor being excluded from the meeting in accordance with standing orders.
- 31.4** Following minor amendments, the Clerk will provide an updated amendment sheet to each Councillor.
- 31.5** Following major amendments, or at other times as deemed necessary by the Clerk, a full copy of the Council's standing orders will be issued to each Councillor.

32 Councillor resignation

- 32.1** Resignation of a Councillor is effective as soon as the letter of resignation is handed to the Chair, who will inform the Clerk as soon as possible.
- 32.2** The Clerk is to inform other Councillors as soon as practical and normally before the Returning Officer is informed of the casual vacancy now existing. Notices will also be placed on the website and noticeboards.
- 32.3** Once the deadline for election requests has been received by the Clerk, the website and noticeboards will be updated accordingly.
- 32.4** Should an election be called the Clerk will publish the notices provided by the Returning Officer as soon as is practical.

33 Apologies

- 33.1** Councillors who are unable to attend meetings should make every effort to inform the Clerk in advance of the meeting to allow arrangements to be made if the meeting would not be quorate.
- 33.2** Councillors who do not attend meetings for a period of six months are automatically disqualified from being Councillors. This period can be reset if the Council votes to accept a Councillor's reason for non-attendance. The vote must take place within the six month period. Qualifying meetings include Council, Committee, Sub-Committee and Working Group meetings, as well as any meeting of an outside body where the Councillor is attending as an appointed representative of the Parish Council.
- 33.3** Councillors are able to request their absence be approved before it occurs if they become aware that they will be unable to attend meetings.