

**West Grinstead
Parish Council**

Standing Orders

13th September 2009

WEST GRINSTEAD PARISH COUNCIL

STANDING ORDERS

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PREFACE

Some of the Standing Orders are compulsory as they are laid down in Acts of Parliament. These are printed in **bold type**. These Standing Orders cannot be altered.

If the words "Local Councils" are used, it means Parish and Town Councils in England and Community and Town Councils in Wales.

It is, of course, recognised that local councillors can be male or female. Therefore, wherever the masculine gender is used in this publication, this should be interpreted as also meaning the feminine gender, where appropriate.

West Grinstead Parish Council Standing Orders

1. Meetings

- a. Meetings of the Council shall be held in each year on such dates and times and such place as the Council may direct.
- b. Smoking is not permitted at any meeting of the Council

2. The Statutory Annual Meeting

- (a) **In an election year the Annual Parish Council Meeting shall be held on or within 14 days following the day on which the councillors elected take office and**
- (b) **in a year which is not an election year the Annual Parish Council Meeting shall be held on such day in May as the Council may direct.**

3. Other Statutory Meetings

In addition to the Statutory Annual Parish Council Meeting, at least three other statutory meetings shall be held in each year on such dates and times and at such place as the Council may direct.

4. Chairman of the Meeting

The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting

5. Proper Officer

Where a statute, regulation or order confers functions or duties on the proper officer of the Council in the following cases, he shall be the clerk or nominated officer: -

- To receive declarations of acceptance of office.
- To receive and record notices disclosing interests at meetings.
- To receive and retain plans and documents.
- To sign notices or other documents on behalf of the Council.
- To receive copies of bylaws made by another local authority.
- To certify copies of bylaws made by the Council.
- To sign and issue the summons to attend meetings of the Council.
- To keep proper records for all Council meetings.

6. Quorum of the Council

Three members or one third of the total membership, whichever is the greater, shall constitute a quorum at meetings of the Council.

7. If a quorum is not present when the Council meets, or if during a meeting the number of councillors present and not debarred by reason of a declared interest falls below the required quorum, the meeting shall be adjourned and the business not transacted at that meeting shall be transacted at the next meeting or on such days as the Chairman may fix.
8. For a quorum relating to a committee or sub-committee, please refer to Standing Order 48.

9. Voting

Members shall vote by show of hands or, if at least two members so request, by signed ballot.

10. **If a member so requires, the Clerk shall record the names of the members who voted on any question so as to show whether they voted for or against it. Such a request must be made before moving on to the next business.**
11. (i) **Subject to (ii) and (iii) below, the Chairman may give an original vote on any matter put to the vote and in the case of an equality of votes may give a casting vote whether or not he gave an original vote.**

(ii) **If the person presiding at the annual meeting would have ceased to be a member of the Council but for the statutory provisions which preserve the membership of the Chairman and Vice Chairman until the end of their term of office he may not give an original vote in an election for Chairman.**

(iii) **The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.**

12. Order of Business

At each Annual Parish Council Meeting the first business shall be:

- a. **To elect a Chairman of the Council.**

- b. **To receive the Chairman's declaration of acceptance of office or, if not then received, to decide when it shall be received.**
 - c. **In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.**
 - d. **To decide when any declarations of acceptance of office which have not been received as provided by law shall be received.**
 - e. To elect a Vice Chairman of the Council.
 - f. To appoint members to committees and sub-committees.
 - g. To appoint representatives to outside bodies.
 - h. To inspect any deeds and trust instruments in the custody of the Council as required;
and shall thereafter follow the order set out in Standing Order number 15.
13. **At every meeting other than the Annual Parish Council Meeting, the first business shall be to appoint a Chairman if the Chairman and Vice Chairman be absent and to receive such declarations of acceptance of office (if any) and undertaking to observe the Council's code of conduct as are required by law to be made, or if not then received, to decide when they shall be received.**
14. In every year not later than the meeting at which the estimates for next year are settled, the Council shall review the pay and conditions of service of existing employees. Standing Order 38 must be read in conjunction with this requirement.
15. After the first business at each Council meeting has been completed, the order of business, unless the Council otherwise decides on the ground of urgency, shall be as follows:-
- a. To read and consider the Minutes, provided that if a copy has been circulated to each member not later than the day of issue of the summons to attend the meeting, the Minutes may be taken as read.
 - b. **After consideration, to approve the signature of the Minutes by the person presiding as a correct record.**
 - c. **To deal with business expressly required by statute to be done.**
 - d. To dispose of business, if any, remaining from the last meeting.
 - e. To receive such communications as the person presiding may wish to lay before the Council.
 - f. To receive and consider reports and minutes of committees.
 - g. To receive and consider reports from officers of the Council.

- h. To authorise the sealing of documents.
- i. To authorise the signing of orders for payment (Payments will normally have been reviewed in detail by the Finance Committee prior to the Council meeting.).
- j. To consider resolutions or recommendations in the order in which they have been notified.
- k. All signed correspondence and emails received since the previous meeting must be notified to the Council at the next meeting. Councillors may request items to be read out fully if deemed necessary.
- l. Any other business specified in the summons.

16. Urgent Business

A motion to vary the order of business on the grounds of urgency:-

- a. 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, and
- b. Shall be put to the vote without discussion.

17. Resolutions Moved On Notice.

Except as provided by these Standing Orders, no resolution may be moved unless the business to which it relates has been put on the Agenda by the Clerk or the mover has given notice of its terms in writing and has delivered the notice to the Clerk at least seven clear days before the next meeting of the Council.

- 18. The Clerk shall date every notice of resolution when received by him, shall number each notice in the order in which it was received and shall enter it in a book which shall be open to the inspection of every member of the Council.
- 19. The Clerk shall insert in the summons for every meeting all notices of resolution properly given in the order in which they have been received unless the member giving a notice of resolution has stated in writing that he intends to move it at some later meeting or that he withdraws it.
- 20. If a resolution specified in the summons is not moved either by the member who gave notice of it or by any other member, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.
- 21. If the subject matter of a resolution comes within the province of a committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to such committee or to such other committee as the Council may determine for report; provided that the Chairman, if he considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.
- 22. Every resolution shall be relevant to some subject over which the Council has power or duties, which affects its area.

23. Resolution moved without Notice

Resolutions dealing with the following matters may be moved without notice:-

- a. To appoint a Chairman of the meeting
- b. To correct the Minutes
- c. To approve the Minutes
- d. To alter the order of business
- e. To proceed to the next business
- f. To close or adjourn the debate
- g. To refer a matter to a committee
- h. To appoint a committee or any members thereof
- i. To adopt a report
- j. To authorise the sealing of documents
- k. To amend a motion
- l. To give leave to withdraw a resolution or an amendment
- m. To extend the time limit for speeches
- n. To exclude the press and public (see Standing Order 68)
- o. To silence or eject from the meeting a member named for misconduct (see Standing Order 33)
- p. To give the consent of the Council where such consent is required by these Standing Orders
- q. To suspend any Standing Order (see Standing Order 79)
- r. To adjourn the meeting

Questions

24. A member may ask the Chairman of the Council or the Clerk any question concerning the business of the Council, provided seven clear days notice of the question has been given to the person to whom it is addressed.
25. No questions not connected with the business under discussion shall be asked except during the part of the meeting set aside for questions.

- 26. Every question shall be put and answered without discussion.
- 27. A person to whom a question has been put may decline to answer.

Rules of Debate

- 28. No discussion of the Minutes shall take place except upon their accuracy and for matters arising from the Minutes. Corrections to the Minutes shall be made by resolution and must be initialled by the Chairman.
- 29a. A resolution or amendment shall not be discussed unless it has been proposed and seconded and unless proper notice has already been given, it shall, if required by the Chairman, be reduced to writing and handed to him before it is further discussed or put to the meeting.
- 29b. A member when seconding a resolution or amendment may, if he then declares his intention to do so, reserve his speech until a later period of the debate.
- 29c. A member shall direct his speech to the question under discussion or to a personal explanation or to a question of order.
- 29d. No speech by a mover of a resolution shall exceed five minutes and no other speech shall exceed five minutes except by consent of the Council.
- 29e. An amendment shall be:
 - (i) to leave out words;
 - (ii) to leave out words and insert others; or
 - (iii) to insert or add words.
- 29f. An amendment shall not have the effect of negating the resolution before the Council.
- 29g. If an amendment be carried the resolution, as amended, shall take the place of the original resolution and shall become the resolution upon which any further amendment may be moved.
- 29h. A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
- 29i. The mover of a resolution or of an amendment shall have a right of reply, not exceeding five minutes.
- 29j. A member, other than the mover of a resolution, shall not without leave of the Council, speak more than once on any resolution except to move an amendment or further amendment, or on an amendment, or on a point of order, or in personal explanation, or to move a closure.
- 29k. A member may speak on a point of order or a personal explanation. A member speaking for these purposes shall be heard forthwith. A personal explanation shall be confined to some material part of a former speech by him that may have been misunderstood.

- 29l. A motion or amendment may be withdrawn by the proposer with the consent of the Council, which shall be signified without discussion and no member may speak upon it after permission has been asked for its withdrawal unless such permission has been refused.
- 29m. When a resolution is under debate no other resolution shall be moved except the following:
- (i) To amend the resolution:
 - (ii) To proceed to the next business
 - (iii) To adjourn the debate
 - (iv) That the question be now put
 - (v) That a member named be not further heard
 - (vi) That a member named leave the meeting
 - (vii) That the resolution be referred to a committee
 - (viii) To exclude the public and press
 - (ix) To adjourn the meeting
30. A member shall remain seated when speaking unless requested to stand by the Chairman.
- 31a. The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed.
- 31b. Members shall address the Chairman
- 31c. If two or more members wish to speak, the Chairman shall decide who to call upon.
- 31d. Whenever the Chairman speaks during a debate all other members shall be silent.

32. Closure

At the end of any speech a member may, without comment, move “that the question be now put”, “that the debate be now adjourned” or “that the Council do now adjourn”. If such motion is seconded, the Chairman shall put the motion but, in the case of a motion “that the question be now put”, only if he is of the opinion that the question before the Council has been sufficiently debated. If the motion “that the question be now put” is carried, he shall call upon the mover to exercise or waive his right of reply and shall put the question immediately after that right has been exercised or waived. The adjournment of a debate or of the Council shall not prejudice the mover’s right of reply at the resumption.

33. Disorderly Conduct

- a. **All members must observe the Code of Conduct which was adopted by the Council on 18th July 2007.**
- b. No member shall at a meeting persistently disregard the ruling of the Chairman, wilfully obstruct business or behave irregularly, offensively, improperly or **in such a manner as to bring the Council into disrepute.**

- c. If, in the opinion of the Chairman, a member has broken the provisions of paragraph (b) of this Order, the Chairman shall express that opinion to the Council and thereafter any member may move that the members named be no longer heard or that a member named do leave the meeting and the motion, if seconded shall be put forthwith and without discussion. **If a member reasonably believes another member is in breach of the code of conduct, that member may report the breach to the Standards Board.**
- d. If either of the motions mentioned in paragraph (c) is disobeyed, the Chairman may adjourn the meeting or take such further steps as may reasonably be necessary to enforce them.

34. Right of Reply

The mover of a resolution shall have a right to reply immediately before the resolution is put to the vote. If an amendment is proposed the mover of the amendment shall be entitled to reply immediately before the amendment is put to the vote. A member exercising a right of reply shall not introduce a new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

35. Alteration of Previous Resolution

A member may, with the consent of his seconder, move amendments to his own resolution.

36. Rescission of a Previous Resolution

- a. A decision (whether affirmative or negative) of the Council shall not be reversed within six months except either by a special resolution, the written notice whereof bears the names of at least two-thirds of the members of the Council, or by a resolution moved in pursuance of the report or recommendation of a committee.
- b. When a special resolution or any other resolution moved under the provisions of paragraph (a) of this Order has been disposed of, no similar resolution may be moved within a further six months.

37. Voting on Appointments

Where more than two persons have been nominated for any position to be filled by the Council and of the votes given there is not an absolute majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken and so on until a majority of votes is given in favour of one person.

38. 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 (as the case may be) has decided whether or not the press and public shall be excluded (see Standing Order 68).

39. Resolutions on Expenditure

Any resolution (which is moved otherwise than in pursuance of a recommendation of the Finance Committee or of another committee after recommendation by the Finance Committee) and which, if carried, would, in the opinion of the Chairman, substantially increase the expenditure upon any service which is under the management of the Council or reduce the revenue at the disposal of any committee, or which would involve capital expenditure, shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council and any committee affected by it shall consider whether it desires to report thereon and the Finance Committee shall report on the financial aspect of the matters.

40. Expenditure

Orders for the payment of money shall be authorised by resolution of the Council and signed by two members. The approved signatories are shown in the Council's Financial Regulations.

41. Sealing of Documents

- a. A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution.
- b. Any two members of the Council named in a resolution moved under the provisions of paragraph (a) of this Order may seal, on behalf of the Council any document required by law to be issued under seal.

42. Committees and Sub-Committees

The Council may at its Annual Meeting, appoint standing committees and may at any other time appoint such other committees as are necessary, but subject to any statutory provision in that behalf:-

- a. Shall not appoint any member of a committee so as to hold office later than the next Annual Meeting.
- b. May appoint persons other than members of the Council to any committee and
- c. May subject to the provisions of Standing Order 36 at any time dissolve or alter the membership of the committee.

NOTE: Refer to Annex A for the terms of reference of committees.

43. The Chairman and Vice Chairman ex officio shall be members of every committee with full voting rights.

44. Every committee shall at its first meeting before proceeding to any other business, elect a Chairman and may elect a Vice Chairman who shall hold office until the next Annual Meeting of the Council, and shall settle its programme of meetings for the year.

45. Special Meeting

The Chairman of a committee or the Chairman of the Council may summon an additional meeting of that committee at any time. An additional meeting shall also be summoned on the requisition in writing of not less than a quarter of the members of the committee. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at the meeting.

46. Sub Committees

Every committee may appoint a sub-committee for the purposes to be specified by the committee.

47. The Chairman and Vice Chairman of the committee shall be members of every sub-committee appointed by it unless they signify they do not wish to serve.

48. Except where ordered by the Council in the case of a committee, or by the Council or by the appropriate committee, in the case of a sub-committee, the quorum of a committee or sub-committee shall be one-half of its members.

49. The Standing Orders on rules of debate (except those parts relating to standing and to speaking more than once) and the Standing Order on interests of members in contracts and other matters shall apply to committee and sub-committee meetings.

50. Advisory/Working Groups

- a. The Council may create advisory/working groups, whose name and number of members and the bodies to be invited to nominate members shall be specified.
- b. The Clerk shall inform the members of each advisory/working group of the terms of reference of the group.
- c. An advisory/working group may make recommendations and give notice thereof to the Council.
- d. An advisory/working group may consist wholly of persons who are not members of the Council.

[Explanatory Note: Committees have published agendas and minutes, meet in public and have delegated powers. Advisory/working groups are not required to have agendas or produce minutes, they have no powers and make recommendations back to the Council. They generally meet in private.]

Voting in Committees

51. Members of committees and sub-committees are entitled to vote and shall vote by show of hands, or, if at least two members so request by signed ballot.
52. **Chairman of committees and sub-committees shall in the case of an equality of votes have a second or casting vote.**

53. Presence of Non-Members of Committees at Committee Meetings

A member who has proposed a resolution that has been referred to any committee of which he is not a member, may explain his resolution to the committee but shall not vote.

54. Accounts and Financial Statement

This section is a brief summary of the Council's Financial Regulations. In case of any conflict, the Financial Regulations take precedence.

- a) Except as provided in paragraph (b) of this Standing Order or by statute, all accounts for payment and claims upon the Council shall be laid before the Council.
 - b) Where it is necessary to make a payment before it has been authorised by the Council, such a payment shall be certified as to its correctness and urgency (but must not exceed £500) by the Responsible Financial Officer or the Clerk if different. Such payment shall be authorised by the committee, if any, having charge of the business to which it relates, or by the proper officer for payments with the approval of the Chairman or Vice Chairman of the Council.
 - c) All payments ratified under sub-paragraph (b) of this Standing Order shall be separately included in the next schedule of payments laid before the Council.
 - d) The Clerk shall supply monthly details of receipts and payments throughout the year.
55. The Responsible Financial Officer shall supply to each member of the Finance Committee as soon as practicable after the end of the financial year a statement of receipts and payments for approval by the Finance Committee. The Statement of Accounts of the Council shall be presented to the Finance Committee for formal approval before submission for external audit.

56. Estimates/Precept

- a) The Council shall approve written estimates for the coming financial year prior to any precept being submitted to the District Council.

- b) Any committee desiring to incur expenditure shall, not later than the precept drafting meeting at the end of November, give to the Clerk a written estimate of the expenditure recommended for the coming year.

57. Interests (England)

If a member has a personal interest, as defined by the Code of Conduct adopted by the Council on the 18th July 2007, then he shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required.

[Note: Standing Orders 70A and 70B replaced Orders 70 and 58 in August 2007. Details in NALC Legal Briefing L11-07]

[Note: There is now no Order 58.]

59. Interests (Wales) - N/A

60. The Clerk shall be required to compile and hold a register of member's interests in accordance with agreement reached with the Monitoring Officer of the Responsible Authority and/or as required by statute.

61. If a candidate for any appointment under the Council is to his knowledge related to any member of or the holder of any office under the Council, he and the person to whom he is related shall disclose the relationship in writing to the Clerk. A candidate who fails so to do shall be disqualified for such an appointment and, if appointed, may 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 Standing Orders 57, 58 and 59 shall apply as appropriate.

62. The Clerk shall make known the purpose of Standing Order 61 to every candidate for an appointment and also issue them with a copy of the Code of Conduct.

63. Canvassing of and Recommendations By Members

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

b) A member of the Council or of any committee shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion, but nevertheless, any such member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.

64. Standing Orders numbers 61 and 63 shall apply to tenders as if the person making the tender were a candidate for an appointment. The Clerk shall make known the purport of this Standing Order to every candidate.

65. Inspection of Documents

A member may for the purpose of his duty as such (but not otherwise), inspect any document in possession of the Council or a committee, and if copies are available shall, on request, be supplied for the like purpose with a copy.

66. **All Minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council.**

67. Unauthorised Activities

No member of the Council or of any committee or sub-committee shall in the name of or on behalf of the Council:-

- a) Inspect any lands or premises which the Council has a right or duty to inspect;
or
 - b) Issue an order, instruction or direction;
- unless authorised to do so by the Council or the relevant committee or sub-committee.

68. Admission of the Public and Press to Meetings

The public and press shall be admitted to all meetings of the Council and its committees and sub-committees, which may, however, temporarily exclude the public by means of the following resolutions:

"That in view of the (special), (confidential) nature of the business about to be transacted, it is advisable in the public interest that the public be temporarily excluded and they are instructed to withdraw"

69. The Council, committee or sub-committee shall state the special reasons for exclusion. If a person's advice or assistance is needed, they may be invited (by name) to remain after the exclusion resolution is passed).
- 70A. At all meetings of the Council, the Chairman may at his discretion and at a convenient time in the transaction of business, adjourn the meeting so as to allow any members of the public to address the meeting in relation to the business to be transacted. Such sessions form part of the Council meeting in law and shall be duly minuted. The Code of Conduct which was adopted by the Council on 18th July 2007 shall apply to all members of the council in respect of the entire meeting. Where, however, members of the council exercise their rights pursuant to SO 70B, below, members of the public **shall** be allowed to attend the meeting to a) make representations b) answer questions or c) give evidence relating to the business to be transacted.
- 70B. At all meetings of the Council, the Chairman may permit members of the Council (including co-opted members as defined by s.49 (7) Local Government Act 2000) who have a prejudicial interest in relation to any item of business to be transacted at that meeting to a) make representations b) answer questions or c) give evidence relating to the business to be transacted. Such sessions form part of the Council meeting in law and shall be duly minuted. The Code of Conduct which was adopted by the Council on 18th July 2007 shall apply to all members of the council in respect of the entire meeting.

[Note: Standing Orders 70A and 70B replaced Orders 70 and 58 in August 2007. Details in NALC Legal Briefing L11-07]

- 70C. Where a councillor has a prejudicial interest, the following procedure shall apply:
- The Chairman to make it clear at the start of the agenda item of the procedure to be adopted.
 - The Chairman to emphasise that the first part of the item is for the receiving of information only.
 - Allow the councillor concerned the designated time to speak.
 - Allow the councillor concerned to answer questions and/or give evidence.
 - In some cases, it may be appropriate to allow members of the public to express their views (within designated time limits).
 - The councillor leaves the room before the item is considered by the Council.
 - The Council then discusses the item, voting on it if necessary.

[This procedure is designed to afford a councillor with a prejudicial interest, the same rights as members of the public but not to allow the councillor to get drawn into debate and influence members.]

71. The Clerk shall afford the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present. There shall be no audio or video recording or photographs of the meeting without the express approval of the Council.
72. If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that he be removed from the meeting and may adjourn the meeting for such period as is necessary to restore order..

73. Confidential 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 the sub-committee as the case may be.
- b) Any member in breach of the provisions of paragraph (a) of this Standing Order shall be removed from any committee or sub-committee of the Council by the Council.

74. Liaison with County and District Councillors

A notice of meetings shall be sent together with an invitation to attend to the Council Councillor of the county division and to the District Councillor or Councillors for the district ward.

75. Unless the Council otherwise order, a copy of each letter ordered to be sent to the Council and District Council shall be transmitted to the County Councillor for the division or to the District Councillor for the ward as the case may require.

76. Planning Applications

- a. The Clerk shall, as soon as a planning application is received note the date on which it was received from HDC. The following details shall be entered into the electronic planning applications log:
 - i) Reference number of application
 - ii) HDC Planning Officer dealing with the case
 - iii) Place to which it relates
 - iv) A summary of the nature of the application
- b. The Clerk shall refer every planning application to the Planning Committee as soon as it is practical.

77. Financial Matters

For West Grinstead Parish Council, the Parish Clerk is also the Responsible Financial Officer (RFO).

The Council shall consider and approve the Financial Regulations as drawn up by the Responsible Financial Officer.

- a. Such Regulations shall include detailed arrangements for the following:-
 - i) The accounting records and systems of internal control.
 - ii) The assessment and management of risks faced by the Council.
 - iii) The work of the Internal Auditor and the receipt of regular reports from the Internal Auditor which shall be required at least annually.
 - iv) The financial reporting requirements of members and local electors and
 - v) Procurement policies (subject to b. below) including the setting of values for different procedures where the contract has an estimated value of less than £50,000.
- b. Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £50,000 shall be procured on the basis of a formal tender as summarised in (c) below.
- c. Any formal tender process shall comprise the following steps:
 - a public notice of intention to place a contract to be placed in a local newspaper;
 - a specification of the goods, materials, services and the execution of works shall be drawn up;
 - tenders are to be sent, in a sealed marked envelope, to the Clerk by a stated date and time;

- tenders submitted are to be opened, after the stated closing date and time, by the Clerk and at least one member of Council;
 - tenders are then to be assessed and reported to the appropriate meeting of Council or Committee.
- d. The Council, nor any committee, is not bound to accept the lowest tender, estimate or quote. Any tender notice shall contain a reference to the Standing Orders 61, 63 & 64 regarding improper activity
- e. The Financial Regulations of the Council shall be subject to regular review at least once every four years.

{The Council is reminded that the European Union Public Sector Procurement Rules are likely to apply to contracts with a value in excess of £140,000 and advice should be sought at this level}

{Note: Some Standing Order **must** be made for contracts for the supply of goods or the execution of works}

78. Code of Conduct on Complaints

The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or member in such manner as adopted by the Council except for those complaints which should be properly directed to the Standards Board for consideration.

79. Variation, Revocation and Suspension of Standing Orders

Any or every part of the Standing Orders except those printed in **bold type** may be suspended by resolution in relation to any specific item of business.

80. A resolution permanently to add, vary or revoke a Standing Order shall when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

81. Standing Orders to be given to Members

A copy of these Standing Orders shall be given to each member by the Clerk upon delivery to him of the member's declaration of acceptance of office and written undertaking to observe the Code of Conduct adopted by the Council.

82. Chairman's Period of Office

The Chairman's period of office should not normally exceed four years unless no other Councillor is willing to take the chair.

83. Casual Vacancies

The office of a local Councillor becomes vacant:-

- a) If he ceases to be qualified or becomes disqualified; or-
- b) If he fails to make a declaration of acceptance of office within the prescribed time; or:-
- c) If he resigns in writing, at the moment the resignation reaches the Chairman; or:-
- d) If he is absent for six consecutive months from meetings unless the reason for absence is approved by the Council.

Such approval however is not needed for absence by a member of the forces upon war service or for absence by anyone in Her Majesty's Service in connection with a war or emergency, if the Secretary of State thinks that the reason for absence entitles him to relief.

Attendance at a Committee or as a representative of the Council at another meeting counts as attendance at the Council.

The Chairman of a local Council or of a Parish meeting may resign from the chair in writing. Resignations take effect only when they are received by the body or person to whom they are addressed.

84. Declaration and Filling

If a Councillor ceases to be qualified or becomes disqualified (for any reason other than disqualification after an audit, conviction, corrupt or illegal election practices) or if he is absent for six months for reasons not approved by the Council, the Council must declare his office vacant. Every vacancy, whether so declared or not, must be publicly notified.

If no poll is claimed within fourteen days by ten electors, a casual vacancy is filled by co-option and the local Council must be convened for the purpose forthwith. An **absolute majority** of those present and voting is required to choose a new Councillor. If a poll is claimed by ten electors a by-election is held by poll conducted by the Returning Officer. No poll can be claimed in the six months before ordinary elections.

85. Reports

If a Councillor attends a meeting as a representative of West Grinstead Parish Council, then at the next Parish Council meeting a report shall be given.

86. King George V Playing Fields Partridge Green

King George's Field, Partridge Green, is a charity; the purpose of which is outdoor recreation. West Grinstead Parish Council is the sole trustee for the charity and as such is answerable to both Fields in Trust (FIT) and the Charity Commission. All Parish Councillors are automatically members of the trustee body, so long as they remain in office. To understand better what the responsibilities entail, each councillor is advised to read the governing document of the charity (conveyance dated 20th February 1940) and the Charity Commissioners booklet CC3: "Responsibilities of Charity Trustees".

Annex A - Terms of Reference for Committees

Planning Committee

To consider those planning applications that are required to be reviewed by the Parish Council and to submit comments to the District Council on behalf of the Parish Council.

To consider and respond to any documents/consultations in connection with:

- the District Council's Local Development Framework;
- the County Council's planning strategies.

To consider such other matters, as may be properly be referred to it by the Council.

Open Spaces Committee

To exercise the functions of the Council relating to property owned by the Parish Council, including regulation, maintenance and management of:

- the Council's recreation grounds and other open spaces set aside for purposes of leisure, recreation and amenity;
- buildings owned by the Council;
- the War Memorial and its surrounds;
- the Parish graveyard adjoining St. Michael's Church;
- street lights owned by the Council;
- other items of street furniture, gates and fences owned by the Council;
- allotments, including making decisions on recommendations received from the Allotments Working Group;

To promote the cleanliness of the Parish through the activities of the Council's village tidier and any other specific clean-up activities;

To plan and implement the annual Christmas Lights display.

In pursuance of the powers set out above, formal approval for expenditure is to be sought from the Finance Committee.

To consider such other matters, as may be properly be referred to it by the Council.

Finance Committee

The Council is responsible in law for ensuring that its financial management is adequate and effective and that the Council has a sound system of financial control, which facilitates the effective exercise of the Council's functions, including arrangements for the management of risk and for the prevention and detection of fraud and corruption. The Financial Regulations of the Council are designed to demonstrate how the council meets these responsibilities. Therefore, please refer to the Financial Regulations document for West Grinstead Parish Council for further details.

To consider such other matters, as may be properly be referred to it by the Council.