

STANDING ORDERS FOR SHORWELL PARISH COUNCIL

1) Meetings.

- a) Meetings will be held in the Parish Hall in accordance with the published schedule.
- b) When calculating the 3 clear days notice for a meeting to councillors and the public, the day on which the notice was issued, the day of the meeting, weekends and bank holidays shall not count.
- c) Meetings shall be open to the public and the press. Where any items are confidential or there are special reasons to exclude the public or the press, a resolution will be passed giving reason for such exclusion.
- d) Subject to 1c the public are permitted to ask questions and make representations. All questions are to be addressed through the Chairman who shall direct the order of speaking.
- e) Photographing or recording the proceedings of a meeting are not permitted without prior written consent.
- f) The Chairman, if present, shall preside at a meeting. In his absence, the Vice Chairman, if present, shall preside. If both are absent, a councillor chosen by the councillors present at the meeting shall preside.
- g) All questions at a meeting shall be decided by a majority vote of the councillors present.
- h) The Chairman may give an original vote on any matter put to the vote. In the case of equality of votes he may exercise his casting vote whether or not he gave an original vote.
- I) Voting on any question shall be by a show of hands. Any councillor may request that the voting be recorded so as to show whether each councillor present and voting gave his vote for or against that question.
- j) The minutes of a meeting shall record the names of councillors present and absent.
- k) The code of conduct adopted by the Parish Council shall apply to all councillors in respect of the entire meeting. Any interest declared under the code shall be recorded in the minutes.
- l) No business may be conducted at a meeting unless at least one third of the whole Council are present, and in no case shall the quorum of a meeting be less than 3. If a meeting becomes inquorate it must be adjourned and no business can be conducted.

2) Ordinary Council Meetings.

- a) In an election year, the annual meeting of the Parish Council shall be held within 14 days of the day on which the new councillors elected take office.
- b) In a non election year, the annual meeting of the Parish Council shall be in May.
- c) In addition to the annual meeting, at least three other ordinary meetings must be held.
- d) The election of the Chairman and Vice Chairman shall be the first business completed at the annual meeting of the Parish Council.
- e) The Chairman, unless he resigns or becomes disqualified, shall hold office until the election at the next annual meeting.
- f) In an election year, if the current Chairman is not re-elected as a member of the Parish Council, he shall preside at the meeting until a successor chairman has been elected. The current chairman shall not have an original vote in respect of the election of a new chairman, but must give a casting vote in the case of an equality of votes.
- g) In an election year, if the current Chairman has been re-elected as a member of the Parish Council, he shall preside at the meeting until a new chairman has been elected. He may have an original vote in respect of the election of a new chairman, and must give a casting vote in the case of an equality of votes.
- h) Following the election of the Chairman and Vice Chairman, 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.
 - 3) Review of standing orders and financial regulations.
 - 4) Confirmation of the dates and times of ordinary meetings of the full council for the year ahead.

3) Proper Officer

The Clerk will be the Proper Officer of the Parish Council, and will be responsible for the following;

- 1) Advise and provide notice to the public and individual councillors confirming the time, date, venue and agenda of all meetings at least 3 clear days before the meeting.
- 2) Make available for inspection the minutes of any meeting.
- 3) Receive and retain declarations of acceptance of office from councillors.
- 4) Keep proper records required before and after meetings.
- 5) Receive and send general correspondence and notices on behalf of the Parish Council.
- 6) Manage the organisation, storage of and access to information held on behalf of the Parish Council in paper and electronic form.

- 7) Arrange for the prompt authorisation, approval and payment of Parish Council outgoings in accordance with the financial regulations.
- 8) Record all planning applications received and the Parish Council's response.
- 9) Process any requests for information received under the Freedom of Information Act and Data Protection Act .

4) Motions requiring written notice.

No motion may be moved at a meeting unless it is included in the agenda and the mover has given written notice to the Clerk at least 7 clear days before the next meeting.

5) Motions not requiring written notice.

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

- a) To appoint a person to preside at a meeting.
- b) To approve the absence of councillors.
- c) To approve the accuracy or correct an inaccuracy of the minutes of a previous meeting.
- d) To alter the order of business on the agenda for reasons of urgency or expediency.
- e) To close or adjourn debate.
- f) To exclude the press and public for part of the meeting.
- g) To silence or exclude from the meeting a councillor or member of the public for disorderly conduct.
- h) To suspend any standing order except those which are mandatory by law.
- I) To adjourn the meeting.

6) Rules of Debate.

- a) Motions included in an agenda shall be considered in the order they appear on the agenda unless the order is changed by the Chairman for reasons of expedience.
- b) A motion shall not be considered unless it has been proposed and seconded.
- c) A point of order shall be decided by the Chairman and his decision shall be final.

7) Code of Conduct.

- a) All councillors shall observe the Isle of Wight Council Code of Conduct, and undertake training in the code of conduct as soon as possible after their declaration of acceptance of office.
- b) Councillors with a disclosable pecuniary interest in relation to any item of business being considered at a meeting may make representations, answer questions and give evidence relating to the business, but must then leave the room and take no further part in discussions.

8) Questions.

- a) A councillor may seek an answer to a question covering any business of the Parish Council after 7 clear days notice has been given to the Clerk.
- b) Questions not relating to business on the agenda shall only be asked during the part of the meeting set aside for questions.
- c) Every question shall be put and answered without discussion.

9) Minutes.

- a) If a copy of the draft minutes 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.
- b) No discussion of the draft minutes of the preceding meeting shall take place except in relation to their accuracy. A motion to correct any inaccuracy shall be raised in accordance with standing order 5c above.
- c) Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d) Following a resolution to confirm the accuracy of the minutes, any previous draft minutes or notes of the meeting shall be destroyed.

10) Disorderly Conduct.

- a) No person shall obstruct the conduct of a meeting or behave offensively or improperly.
- b) If, in the opinion of the Chairman, there has been a breach of 10a above, the Chairman shall express that opinion and any councillor(including the Chairman) may move that the person be silenced or excluded from the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
- c) If a resolution under 10b above is disobeyed, the Chairman may take such further steps as may reasonably be necessary to enforce it and/or adjourn the meeting.

11) Voting on appointments.

Where more than 2 people have been nominated for a position to be filled by the Parish Council and none receive an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. Any tie may be settled by the Chairman's casting vote.

12) Expenditure.

- a) Any expenditure incurred by the Parish Council shall be in accordance with the agreed financial regulations.
- b) The Council's financial regulations shall be reviewed annually.

13) Execution and sealing of legal deeds.

- a) A legal deed shall not be executed on behalf of the Parish Council unless it has been authorised by a resolution.
- b) In accordance with 13a above, any two members of the Parish Council may sign on behalf of the council any deed required by law, and the Clerk shall witness their signatures.

14) Extraordinary meetings.

- a) The Chairman may convene an extraordinary meeting of the Parish Council at any time.
- b) If the Chairman does not or refuses to call an extraordinary meeting of the Parish Council within 7 days of having been requested to do so by two councillors, those two councillors may convene an extraordinary meeting of the Parish Council. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two councillors.

15) Accounts And Financial Statement.

- a) All payments by the Council shall be authorised, approved and paid in accordance with the Council's financial regulations, which shall be reviewed annually.
- b) The Clerk will supply to the meetings as soon as practicable after 31 March, 30 June, 30 September and 31 December a statement covering receipts and payments for each quarter and the balances held at the end of each quarter. This should include a comparison with budgeted figures.
A Financial Statement of receipts and payments for the year ended 31 March will be presented to each councillor before the end of the following May. The Statement of Accounts including the annual governance statement shall be presented to the Parish Council for formal approval before 30 June.

16) Precepts.

The Parish Council will approve written estimates for the Precept for the coming year at a meeting before the end of January.

17) Canvassing of and recommendations by councillors.

- a) Canvassing councillors directly or indirectly for appointment to ,or by the Parish Council shall disqualify the candidate from such an appointment.
- b) This standing order shall apply to tenders as if the person making the tender

were a candidate for an appointment.

18) Inspection of documents.

Subject to standing orders to the contrary or in respect of matters which are confidential, a councillor may, for the purpose of his official duties inspect any document in the possession of the Parish Council.

19) Unauthorised activities.

Unless authorised by a resolution, no individual councillor shall in the name of or on behalf of the Parish Council:

- 1) inspect any land and/or premises which the council has a right or duty to inspect ;or
- 2) Issue orders, instructions or directions.

20) Confidential business.

Councillors or employees shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature.

21) Power of Well-being.

- a) Before exercising the power to promote well-being, a meeting of the Parish Council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria required to qualify as an eligible parish council.
- b) The Parish Council's period of eligibility begins on the date that the resolution under standing order 21a was made and expires on the day before the annual meeting of the Parish Council takes place in a year of ordinary elections.
- c) After the expiry of its preceding period of eligibility, the Parish Council continues to be an eligible council solely for the purpose of completing any activity undertaken in the exercise of the powers to promote well-being which was not completed before the expiry of the Parish Council's preceding period of eligibility referred to in standing order 21b.

22) Matters affecting council employees.

If a meeting considers any matter personal to a Parish Council employee, it shall not be considered until the Parish Council has decided whether or not the press and public shall be excluded under 1c.

23) Freedom of Information Act 2000.

Correspondence from, and notices served by, the Information Commissioner shall be referred by the Clerk to a meeting of the Parish Council, and the Council will comply with all requests for information held by the Council .

24) Financial Matters.

The Parish Council shall approve financial regulations drawn up by the Clerk which shall cover arrangements for the following:

- a) The accounting records and systems of internal control.
- b) The assessment and management of financial risks.
- c) The appointment of the Internal Auditor and his annual report.
- d) The inspection and copying by councillors and local electors of the Parish Council's accounts and record of payments.

The process of tendering for large contracts will be as set out in the Model Standing Orders for Local Councils.

25) Allegations of breaches of the Code of Conduct.

On receipt of an allegation, this will be referred to a meeting of the Parish Council.

- a) Where the notification relates to a complaint made by the Clerk, the Chairman and the Council shall nominate a person to assume the duties of the Clerk set out in the remainder of this standing order, who shall continue to act in respect of that matter until the complaint is resolved.
- b) The subject matter of any notification shall be confidential, and insofar as it is possible to do so, the Parish Council shall undertake the following:
 - 1) Draft the summons and agendas to ensure that the identity and subject matter of the complaint are not disclosed.
 - 2) Ensure that any background papers are not made public.
 - 3) Ensure that the public and press are excluded from any meetings.
 - 4) Ensure that the minutes preserve confidentiality.
 - 5) Consider involvement of statutory bodies for the investigation of the matter.
- c) The Parish Council shall have the power to:
 - 1) Seek any evidence from the body with statutory responsibility for investigation of the matter.
 - 2) Seek and share information relevant to the complaint, where such disclosure is necessary or is required by law.

26) Variation, revocation and suspension of standing orders.

- a) Any 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.
- b) A motion to permanently add to or vary or revoke standing orders not mandatory by law shall not be carried unless two-thirds of the councillors at a Parish Council meeting vote in favour.

27) Standing Orders to be given to councillors.

The Clerk shall provide a copy of the Parish Council's standing orders to a councillor upon delivery of his declaration of acceptance of office.