



**MOULTON PARISH COUNCIL
STANDING ORDERS**

October 2004 (revised July 2020)

Table of Contents

1. MEETINGS	4
1.1 The Statutory Annual Meeting	4
1.2 Chair of the Meeting	4
2. PROPER OFFICER	4
3. QUORUM	4
4. VOTING	4
5. ORDER OF BUSINESS	5
6. RESOLUTIONS MOVED ON NOTICE	6
7. RESOLUTIONS MOVED WITHOUT NOTICE	6
8. QUESTIONS	7
9. DRAFT MINUTES	7
10. RULES OF DEBATE	7
11. CLOSURE	8
12. DISORDERLY CONDUCT	8
13. RIGHT OF REPLY	9
14. ALTERATION OF RESOLUTION	9
15. RECISSION OF PREVIOUS RESOLUTION	9
16. VOTING ON APPOINTMENTS	9
17. DISCUSSIONS AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL	9
18. RESOLUTIONS ON EXPENDITURE	9
19. HANDLING CONFIDENTIAL OR SENSITIVE INFORMATION	10
20. EXPENDITURE	10
21. SEALING OF DOCUMENTS	10
22. COMMITTEES	10
23. SUB-COMMITTEES	10
24. ADVISORY COMMITTEES	11
25. VOTING IN COMMITTEES	11
26. PRESENCE OF NON-MEMBERS OF COMMITTEES AT COMMITTEE MEETINGS	11
27. REPORTING TO COUNCIL	11
28. ACCOUNTS AND FINANCIAL STATEMENT	12
29. ESTIMATES / PRECEPTS	12

Moulton Parish Council Standing Orders

30. INTERESTS	12
31. CODE OF CONDUCT AND DISPENSATIONS	12
32. CANVASSING OF AND RECOMMENDATIONS BY MEMBERS	13
33. INSPECTION OF DOCUMENTS	14
34. UNAUTHORISED ACTIVITIES	14
35. ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS	14
36. CONFIDENTIAL BUSINESS	14
37. REQUESTS FOR INFORMATION	15
38. LIAISON WITH COUNTY AND BOROUGH COUNCILLORS	15
39. PLANNING APPLICATIONS & LICENSING APPLICATIONS	15
40. CONTRACTS	15
41. FINANCIAL MATTERS	16
42. CODE OF CONDUCT ON COMPLAINTS	16
43. VARIATION REVOCATION AND SUSPENSION OF STANDING ORDERS	16
44. STANDING ORDERS TO BE GIVEN TO MEMBERS	17

Moulton Parish Council Standing Orders

Any reference in these orders to the masculine/feminine gender shall be taken to include non gender specific.

1. MEETINGS

The Parish Council will seek to meet on the second Monday of each month. However, should the need arise the Parish Council reserves the right to meet on an alternative evening during the second week of the month.

Smoking is not permitted at any meeting of the Council.

1.1 The Statutory Annual Meeting

- 1.1.1 In an election year shall be held on or within 14 days following the day on which the Councillors elected take office.
- 1.1.2 In a year which is not an election year shall be held on such day in May as the Council may direct.
- 1.1.3 In addition to the Statutory Annual Meeting at least three other statutory meetings shall be held in each year on such dates and at such times as the Council may direct. However, the Council will aim to meet on a minimum of 10 occasions.

1.2 Chair of the Meeting

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

2. PROPER OFFICER

- 2.1 Where a statute, regulation or order confers functions or duties on the proper officer of the Council in the following cases, this shall be the Parish Clerk or nominated officer:
 - (a) To receive declarations of acceptance of office.
 - (b) To receive and record notices disclosing pecuniary and non-pecuniary interests.
 - (c) To receive and retain plans and documents.
 - (d) To sign notices or other documents on behalf of the Council.
 - (e) To receive copies of bylaws made by another local authority
 - (f) To sign and issue the summons to attend meetings of the Council
 - (g) To keep proper records for all Council meetings.

3. QUORUM

- 3.1 **Three members or one-third of the total membership, whichever is the greater, shall constitute a quorum at meetings of the Council.**
- 3.2 If a quorum is not present or if during a meeting the number of Councillors present (not counting those debarred by reason of a declared interest) falls below the required quorum, the meeting shall be adjourned and business not transacted shall be transacted at the next meeting or on such other day as the Chair may fix.
- 3.3 For a quorum relating to a committee, refer to standing order 23.3

4. VOTING

- 4.1 Members shall vote by show of hands or, if at least two members so request, by signed ballot.
- 4.2 **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.**
- 4.3 **Subject to (a) and (b) below the Chair may give an original vote on any matter put to the vote and in any case of an equality of votes may give a casting vote whether or not he gave an original vote.**
- (a) **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 Chair and Vice Chair until the end of their term of office, he/she may not give an original vote in an election for Chair.**
- (b) **The person presiding must give a casting vote whenever there is an equality of votes in an election for Chair.**

5. ORDER OF BUSINESS

- 5.1 **At each Annual Parish Council Meeting the first business shall be:**
- a) **To elect a Chair of the Council.**
- b) **To receive the Chair's declaration of acceptance of office or if not then received, to decide when it shall be received.**
- c) **In the ordinary year of the 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 and written undertakings to observe the Code of Conduct adopted by the Council which have not been received as provided by law, shall be received.**
- e) **To elect a Vice-Chair of the Council and receive his/her declaration of office, or if not then received, to decide when it shall be received.**
- f) **To appoint representatives to outside bodies.**
- g) **To appoint committees, sub-committees, working groups as shall be required.**
- h) **To consider the payment of any subscriptions falling to be paid annually.**
- i) **To inspect any deeds and trust investments in the custody of the Council as required; and shall thereafter follow the order set out in Standing Order 5.4**
- 5.2 **At every meeting other than the Annual Meeting the first business shall be to appoint a Chair if the Chair and Vice-Chair 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.**
- 5.3 In every year, not later than the meeting at which the estimates for next year are settled, the Finance Committee shall review the pay and conditions of service of existing employees. Standing Order 17.1 must be read in conjunction with this requirement.
- 5.4 After the first business 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 and at least three clear working days before 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 and each page to be initialled.**
- c) **To deal with business expressly required by statute to be done.**

Moulton Parish Council Standing Orders

- d) To dispose of business, if any, from the last meeting.
- e) To receive such communications as the person presiding may wish to lay before the Council.
- f) To answer questions from Councillors.
- g) To receive and consider reports and minutes of committees, etc.
- h) To receive and consider resolutions or recommendations in the order in which they have been notified.
- i) To authorise the sealing of documents.
- j) If necessary, to authorise the signing of orders for payment.
- k) Any other business specified in the summons.

5.5 Urgent Business

A motion to vary the order of business on the ground of urgency:

- a) may be proposed by the Chair or by any member and, if proposed by the Chair, may be put to the vote without being seconded, and
- b) shall be put to the vote without discussion.

6. RESOLUTIONS MOVED ON NOTICE

- 6.1 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 in writing of its terms and has delivered the notice to the Clerk at least 2 clear days before the next meeting of the Council.
- 6.2 The Clerk shall date every notice of resolution or recommendation when received by him/her, 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.
- 6.3 The Clerk shall insert in the summons for every meeting all notices of motion or recommendation properly given in the order in which they have been received unless the member giving a notice of motion has stated in writing that he/she intends to move at some later meeting or that he/she withdraws it.
- 6.4 If a resolution or recommendation 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.
- 6.5 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 Chair, if he/she considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.
- 6.6 Every resolution or recommendation shall be relevant to some subject over which the Council has power or duties which affect its area.

7. RESOLUTIONS MOVED WITHOUT NOTICE

- 7.1 Resolutions dealing with the following matters may be moved without notice:
 - a) To appoint a Chair 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.

Moulton Parish Council Standing Orders

- h) To appoint a committee or other similar body, 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 amendment.
- m) To extend the time limit for speeches.
- n) To exclude the press and public. (see Standing Order 30.1 below)
- o) To silence or eject from the meeting a member named for misconduct. (see Standing Order 12.1 below)
- p) To give the consent of the Council where such consent is required by these Standing Orders.
- q) To suspend any Standing Orders. (see Standing Order 43.1 below)
- r) To adjourn the meeting.

8. QUESTIONS

- 8.1 A member may ask the Chair of the Council or the Clerk any question concerning the business of the Council, providing notice of the question has been given to the person to whom it is to be addressed prior to the commencement of the meeting at which it is to be asked.
- 8.2 No questions not connected with business under discussion shall be asked except during the part of the meeting set aside for questions.
- 8.3 Every question shall be put and answered without discussion.
- 8.4 A person to whom a question has been put may decline to answer.

9. DRAFT MINUTES

- 9.1. There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 7c
- 9.2. The accuracy of draft minutes, including any amendment(s) made to them, 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.
- 9.3. If the chair of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he/she 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 () held on [date] in respect of () were a correct record but his view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings."

10. RULES OF DEBATE

- 10.1 (a) 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 Chair, be reduced to writing and handed to him/her before it is further discussed or put to the meeting.
- (b) A member when seconding a resolution or amendment may, if he/she declares his intention to do so, reserve his/her speech until a later period of the debate.
- (c) A member shall direct his speech to the question under discussion or to a personal explanation or to a question of order.
- (d) No speech by a mover of a resolution shall exceed 5 minutes and no other speech shall exceed 3 minutes except by consent of the Council.
- (e) An amendment shall be either:
 - (i) to leave out words.

Moulton Parish Council Standing Orders

- (ii) to leave out words and insert others.
- (iii) to insert or add words.
- (f) An amendment shall not have the effect of negating the resolution before the Council.
- (g) 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.
- (h) A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
- (i) The mover of a resolution or of an amendment shall have a right of reply.
- (j) 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 the closure.
- (k) 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/her which may have been misunderstood.
- (l) 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.
- (m) 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 do leave the meeting.
 - (vii) That the resolution be referred to a committee.
 - (viii) To exclude the public and press.
 - (ix) To adjourn the meeting.

10.3 A member shall remain seated when speaking unless requested to stand by the Chair.

- 10.4 (a) The ruling of the Chair on a point of order or on the admissibility of a personal explanation shall not be discussed.
- (b) Members shall address the Chair.
- (c) If two or more members wish to speak the Chair shall decide who to call upon.
- (d) Whenever the Chair speaks during a debate all other members shall be silent.

11. CLOSURE

- 11.1 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 Chair shall put the motion but, in the case of a motion "that the question now be put", only if he/she 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/she shall call upon the mover to exercise or waive his/her 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.

12. DISORDERLY CONDUCT

- 12.1 **All members must observe the Code of Conduct which was adopted by the Council on 13th May 2019, a copy of which is annexed to these Standing Orders.**
- 12.2 No member shall at a meeting persistently disregard the ruling of the Chair, by wilfully obstructing business, or behaving irregularly, offensively, improperly **or in such a manner as to bring the Council into disrepute**. If, in the opinion of the Chair, a member has acted in a manner contrary to that required, the Chair shall express that opinion to the Council and

Moulton Parish Council Standing Orders

thereafter any member may move that the member named be no longer heard or that the 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 is under a duty to report the breach in line with the code of conduct.**

- 12.3 If the motion mentioned in paragraph 12.2 is disobeyed, the Chair may adjourn the meeting or take such further steps as may reasonably be necessary to enforce them.

13. RIGHT OF REPLY

- 13.1 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 new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

14. ALTERATION OF RESOLUTION

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

15. RECISSION OF PREVIOUS RESOLUTION

- 15.1 (a) A decision (whether affirmative or negative) of the Council shall not be reversed within six months save by a special resolution, the written notice whereof bears the names of at least 4 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 (a) of this Order has been disposed of, no similar resolution may be moved within a further six months.

16. VOTING ON APPOINTMENTS

- 16.1 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.
- 16.2 In the event there is no casting vote available then the matter shall be decided by the toss of a coin.

17. DISCUSSIONS AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL

- 17.1 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 35.1)

18. RESOLUTIONS ON EXPENDITURE

- 18.1 Any motion (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 Chair, 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 matter).

19 HANDLING CONFIDENTIAL OR SENSITIVE INFORMATION

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

20. EXPENDITURE

- 20.1 **Orders for the payment of money shall be authorised by resolution of the Council and signed by two members.**

21. SEALING OF DOCUMENTS

- 21.1 (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 (a) of the Order may seal, on behalf of the Council, any document required by law to be issued under seal.

22. COMMITTEES

- 22.1 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 at any time dissolve or alter the membership of a committee.

(removed 20.2 – The Chair and Vice Chair ex-officio shall be voting members of every committee)

- 22.3 Every committee shall at its first meeting before proceeding to any other business, elect a Chair and may elect a Vice Chair who shall hold office until the next Annual Meeting of the Council, and shall settle its programme of meetings for the year. If the Clerk is not present, a member must be nominated to minute the meetings.
- 22.4. The Chair of a committee or the Chair 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 that meeting.

23. SUB-COMMITTEES

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

Moulton Parish Council Standing Orders

- 23.2 The Chair and Vice Chair of the committee shall be members of every sub-committee appointed by it unless they signify that they do not wish to serve.
- 23.3 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, noting that the general rule under Standing Order 7 also applies.
- 23.4 The Standing Orders on rules of debate (except those parts relating to standing and 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.
- 23.5 Without prejudice to the powers of committees under standing order 21.1, the Council may direct a committee whether in its terms of reference or otherwise to establish a sub-committee for the purposes specified by the Council. For the avoidance of doubt, the power of the Council under this standing order to direct a committee to establish a sub-committee also applies to the establishment of Working Parties or Groups by committees.

24. ADVISORY COMMITTEES

- 24.1 (a) The Council may create advisory committees, 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 committee of the terms of reference of the committee.
- (c) An advisory committee may make recommendations and give notice thereof to the Council.
- (d) An advisory committee may consist wholly of persons who are not members of the Council.

25. VOTING IN COMMITTEES

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

26. PRESENCE OF NON-MEMBERS OF COMMITTEES AT COMMITTEE MEETINGS

- 26.1 A member who has proposed a resolution which has been referred to any committee of which he/she is not a member, may explain his resolution to the committee but shall not vote.
- 26.2 Any Council member shall, unless the Council otherwise orders, be entitled to be present as an observer at the meetings of any committee or sub-committee of which he/she is not a member. A member attending under this standing order may speak, but not vote. A resolution excluding the press and public from a meeting shall not apply to a member attending under this standing order

27. REPORTING TO COUNCIL

- 27.1. Each committee will provide a summary report at each meeting of the council at the next practicable meeting of the council. The report will distinguish those matters decided by the

committee under delegated powers from matters which form the subject of a recommendation to the council

28. ACCOUNTS AND FINANCIAL STATEMENT

- 28.1 (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 payment shall be certified as to its correctness and urgency by the Responsible Finance 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 Officer for payment with the approval of the Chair or Vice Chair of the Council.
(c) All payments ratified under sub-paragraph (b) of this Standing Order or made without authority of the Council shall be separately included in the next schedule of payments laid before the Council.
- 28.2 The Responsible Finance Officer shall supply to each member at the next ordinary meeting after the end of the financial year a statement of the receipts and payments of the Council for the completed financial year. The appropriate Statement of Accounts prepared for external audit shall be presented to the Council by the end of June for approval.

29. ESTIMATES / PRECEPTS

- 29.1 The Council shall approve written estimates for the coming financial year at its meeting before the end of May.
- 29.2 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 the beginning of November of the current year, and such estimate shall be submitted to the Finance Committee at its meeting in November.

30. INTERESTS

- 30.1 **If a member has a personal interest as defined by the Code of Conduct adopted by the Council then he/she shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required.**
- 30.2 **If a member who has declared a personal interest then considers the interest to be prejudicial, he/she must withdraw from the room or chamber during consideration of the item to which the interest relates.**
- 30.3 **The Clerk is required to compile and hold a Register of Members' Interests, or a copy thereof, in accordance with agreement reached with the Monitoring Officer of the Responsible Authority and/or as require by statute.**
- 30.4 If a candidate for any appointment under the Council is to his/her knowledge related to any member of or the holder of any office under the Council, he/she 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 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 relationship to a member is disclosed this Standing Order shall apply.
- 30.5 The Clerk shall make known the purpose of this Standing Order to every candidate.

31 CODE OF CONDUCT AND DISPENSATIONS

- 31.1 All councillors with voting rights shall observe the code of conduct adopted by the council
- 31.2 Unless he/she has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he/she has a disclosable pecuniary interest. He/she may return to the meeting after it has considered the matter in which he had the interest.
- 31.3 Unless he/she has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he/she has another interest if so required by the council's code of conduct. He/she may return to the meeting after it has considered the matter in which he had the interest.
- 31.4 Dispensation requests shall be in writing and submitted to the Proper Officer as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- 31.5 A decision as to whether to grant a dispensation shall be made by the Proper Officer in consultation with the Chair and that decision is final. A dispensation request shall confirm:
- i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - iv. an explanation as to why the dispensation is sought.
- 31.6 Subject to standing orders 31.1 and 31.2 above, dispensations requests shall be considered by the Proper Officer in consultation with the Chair before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required.
- 31.7 A dispensation may be granted in accordance with standing order 31.2 above if having regard to all relevant circumstances the following applies:
- a. without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business or
 - b. granting the dispensation is in the interests of persons living in the council's area or
 - c. it is otherwise appropriate to grant a dispensation.
- 31.8 The Clerk shall hold a copy of the Register of Member's Interests in accordance with instructions received from the Monitoring Officer of the Responsible Authority and/or as required by statute. The registers of Member's Interests will also be published on the Council website.
- 31.9 If a candidate for any appointment under the Council is to their knowledge related to any member of or the holder of any office under the Council, he/she and the person to whom he/she is related shall disclose the relationship in writing to the Clerk. A candidate who fails so to do shall be disqualified for such 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 relationship to a member is disclosed this Standing Order shall apply.
- 31.10 The Clerk shall make known the purport of this Standing Order to every candidate.

32. CANVASSING OF AND RECOMMENDATIONS BY MEMBERS

Moulton Parish Council Standing Orders

- 32.1 (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 purpose 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.
- 32.2 Standing Orders 30.4 and 32.1 shall apply to tenders as if the person making the tender were a candidate for an appointment.

33. INSPECTION OF DOCUMENTS

- 33.1 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.
- 33.2 **All minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council.**
- 33.3 The agenda of the next meeting and the draft minutes of the last meeting will be displayed in a public place.

34. UNAUTHORISED ACTIVITIES

- 34.1 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 orders, instructions or directions unless authorised to do so by the Council or the relevant committee or subcommittee.

35. ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

- 35.1 **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 and press by means of the following resolution:**
"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 and press be temporarily excluded and they are instructed to withdraw"
- 35.2 The Council, committee or sub-committee shall state the special reason for exclusion.
- 35.3 (a) At all meetings of the Council, the Chair may at his/her 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 at that meeting.
(b) The Council will however allocate a maximum of 15 minutes at the commencement of each meeting for members of the public to address the meeting.
- 35.4 The Clerk shall afford to the press reasonable facilities for the taking of 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.
- 35.5 If a member of the public interrupts the proceedings at any meeting, the Chair may, after warning, order that he/she be removed from the meeting and may adjourn the meeting for such period as is necessary to restore order.

36. CONFIDENTIAL BUSINESS

- 36.1 (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 (a) of this Standing Order shall be removed from any committee or sub-committee of the Council by the Council.

37. REQUESTS FOR INFORMATION

- 37.1 Requests for information held by the council shall be handled in accordance with the council's policy in respect of handling requests under the Freedom of Information Act 2000, Data Protection Act 1998 and General Data Protection Regulations.
- 37.2 Correspondence from, and notices served by the Information Commissioner shall be referred by dealt with by the Proper Officer.

38. LIAISON WITH COUNTY AND BOROUGH COUNCILLORS

- 38.1 A notice of meeting shall be sent to the appropriate County and Borough Councillors for the district or ward, with an invitation to attend.
- 38.2 Unless the Council otherwise orders, a copy of each letter ordered to be sent to the County or Borough Council shall be transmitted to the County Councillor for the division or to the Borough Councillors for the ward as the case may require.

39. PLANNING APPLICATIONS & LICENSING APPLICATIONS

- 39.1 The Clerk shall, as soon as it is received, enter in a spreadsheet or on a database (with appropriate back-up) kept for the purpose the following particulars of every planning application notified to the Council:
- (i) the date on which it was received.
 - (ii) the name of the applicant.
 - (iii) the place to which it relates.
 - (iv) a summary of the nature of the application.
- 39.2 The Clerk shall refer every planning application to the Chair or the Chair of the Planning Committee or in the Chair's absence to the Vice-Chair within 48 hours of receipt.
- 39.3 Any member may require the Clerk to refer an application which is to be commented on outside of a meeting, to be referred to a meeting called for that purpose.

40. CONTRACTS

- 40.1 Every contract shall comply with the financial regulations, and no exceptions shall be made other than in an emergency provided that these regulations shall not apply to contracts which relate to items (a) to (f) below:
- a) for the supply of gas, electricity, water, sewerage and telephone services.
 - b) for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants.
 - c) for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant

Moulton Parish Council Standing Orders

- d) for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Council;
- e) for additional audit work of the external Auditor up to an estimated value of £250 (in excess of this sum the RFO shall act after consultation with the Chair and ViceChair of Council);
- f) for goods or materials proposed to be purchased which are proprietary articles and/or are only sold at a fixed price.

41. FINANCIAL MATTERS

- 41.1 The Council shall consider and approve Financial Regulations drawn up in line with guidance contained in the most recent version of 'Guidance and Accountability in Local Councils in England and Wales – A Practitioner's Guide' (NALC and Society of Local Clerks), by the Responsible Financial Officer.
- 41.2 Such Regulations shall include detailed arrangements for the following:
- (a) the accounting records and systems of internal control;
 - (b) the assessment and management of risks faced by the Council;
 - (c) the work of the Internal Auditor and the receipt of regular reports from the Internal Auditor which shall be required at least annually;
 - (d) the financial reporting requirements of members and local electors; and
 - (e) procurement policies (subject to 41.3 below) including the setting of values for different procedures where the contract has an estimated value of less than £10,000.
- 41.3 Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £10,000 shall be procured on the basis of a formal tender as summarised.
- 41.4 Any formal tender process shall comprise the following steps:
- (a) a public notice of intention to place a contract to be placed in a local newspaper;
 - (b) a specification of the goods, materials, services and the execution of works shall be drawn up;
 - (c) tenders are to be sent, in a sealed marked envelope, to the Clerk by a stated date and time;
 - (d) tenders submitted are to be opened, after the stated closing date and time, by the Clerk and at least one member of the Council;
 - (e) tenders are then to be assessed and reported to the appropriate meeting of the Council or committee.
- 41.5 The Council or a committee is not bound to accept the lowest tender, estimate or quote. Any tender notice shall contain a reference to the Standing Orders 30.3 and 30.5
- 41.6 The Financial Regulations of the Council shall be subject to regular review, at least every four years.

42. CODE OF CONDUCT ON COMPLAINTS

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

43. VARIATION REVOCATION AND SUSPENSION OF STANDING ORDERS

- 43.1 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.

Moulton Parish Council Standing Orders

43.2 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.

44. STANDING ORDERS TO BE GIVEN TO MEMBERS

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