

# Woodmansey Parish Council

## Standing Orders

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### Introduction

The following document defines the terms on which Woodmansey Parish Council conducts its business and operations as a public body and 1<sup>st</sup> Tier Local Government organisation. Our Standing Orders MUST be read in conjunction and crossed referenced with our Code of Conduct

### 1 Council Meetings (Ordinary and Annual)

1.1 Woodmansey Parish Council will hold a total of eleven monthly (Ordinary) Parish Meetings per year. As of the date of these Standing Orders, a Parish Council meeting will not be held in the month of August, and it is a requirement of these Orders that in any given year a minimum of three (Ordinary) meetings shall be held on such dates and times as the Council directs. The Parish Council will also hold an Annual General Meeting and an Annual Parish Meeting.

#### 1.2 Annual General Meeting

In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the new councillors elected take office. In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council may direct.

1.3 The first business conducted at the annual meeting of the Council shall be the election of the Chair and Vice-Chair of the Council. Any Councillor with more than one year's service can contest the office of Chair, and if the current Chair advises they intend to remain in office, then an internal election of Councillors will take place. The current Chair will remain in Office during the course of the meeting including during this process but neither the current Chair or the Councillor contesting for Office may have a vote. In the event of a tied vote, the Deputy Chair may give a casting vote. The voting process will be co-ordinated and monitored by the Parish Clerk

1.4 Should there be no contention for the office of Chair, the current Chair of the Council, unless they have resigned or becomes disqualified, shall confirm their intent to continue in office and preside at the annual meeting for the forthcoming Parish Year.

1.5 The above process also applies to the office of Deputy Chair of the Council.

1.6 Following the election of the Chair and Deputy-Chair the business of the annual meeting shall include:

- All Councillors confirming their intent to continue in post until resignation and confirming their status with regard to declaration of interest. This should be in writing and posted on the Parish website within ten days of the annual meeting.
- A report by the Chair on key points of the previous year and ambitions as Chair for the next year.
- A report by the Financial Officer on the Council's finances for the previous year and concerns, challenges and opportunities for the next year.

### 1.7 Annual Parish Meeting

This meeting will be held between the months of March – June and will be separate to the schedule of Council meetings. Its purpose is to allow residents of the Parish to advise the Council of anything they wish Councillors to be considered in the forthcoming year. Only the Parish Chair and Clerk are required to attend this meeting, however Councillors may attend if they so wish.

1.8 A member of the public can Chair the meeting if they wish, and in the absence of any such volunteers, the Chair of the Parish may chair the Annual Parish Meeting. Minutes should be taken of any points raised by residents and advised to Councillors during the course of the forthcoming year.

## **2 General Rules of Debate at Meetings**

2.1 The Chair, if present, shall manage and determine order at all Parish Council meetings (except for the Annual Parish Meeting). If the Chair is absent from a meeting, the Deputy shall preside. If both the Chair and the Deputy are absent from a meeting, a councillor as chosen by the councillors in attendance shall preside at the meeting.

2.2 All matters pertaining to the meeting need to be directed through the Chair. Items on the agenda shall be considered in the order that they appear in the agreed Agenda unless the order is changed at the discretion of the Chair of the meeting.

2.3 An Item (including an amendment) shall not be progressed unless it is discussed and voted on by Cllrs – where there is likely to be objection to an item, it will be necessary to have a proposer and to be seconded.

2.4 If an Item (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting. An amendment is a proposal to remove or add words to an Item. It shall not negate the Item.

2.5 Before an original or substantive Item is put to the vote, the Chair of the meeting shall be satisfied that the Item has been sufficiently debated and that the mover of the Item under debate has exercised or waived their right of reply.

## **3 Disorderly Conduct at Meetings**

3.1 No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this is ignored, the Chair of the meeting shall request such person(s) to moderate or improve their conduct.

3.2 If person(s) disregards the request of the Chair of the meeting to moderate or improve their conduct, any Cllr or the Chair of the meeting may move that the person be no longer heard or excluded from the meeting. If seconded, this shall be put to the vote without discussion. If a resolution made as above is ignored, the Chair (in consultation with the Clerk of the meeting) may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

## **4 Meetings Generally**

### **4.1 Location**

Meetings of the Council shall be held at the chosen venue by the Parish Council and as notified by the monthly notification of meeting and agenda – where possible chose of venue should be consistent. Ordinary parish meetings for Woodmansey Parish will be held on the third Monday of each month commencing at 1900 and concluding at 2100. Council meetings shall not take place in premises at which alcohol is being served.

### **4.2 Duration / Timings**

Meetings shall terminate no later than 2100, (shall not exceed a period of two hours) unless by authorisation of the Chair, this standing order is suspended, and the meeting is extended in 15-minute periods totalling no more than another 30 minutes. This will only apply to urgent matters, and any (non-urgent) matters not considered shall be adjourned to the beginning of the next meeting.

### **4.3 Agenda and Notification**

A draft agenda will be issued to all Councillors one week prior to the meeting, and Councillors will be afforded the opportunity to add items for discussion. A minimum of three clear days will be given for notification of meetings (not including Sunday, the day of the actual meeting, a statutory (bank) holiday. The notice of meeting will be posted on either the parish noticeboards and / or the Parish Website and the agreed Agenda cannot be changed once posted.

### **4.4 Public Access to Meetings**

Parish Meetings shall be open to the public and press unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public and press's exclusion from part or all of a meeting shall be by direction of the Chair in discussion with the Deputy Chair – the reasons for the exclusion must clearly be recorded in the minutes of the meeting in question.

4.5 Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda. If a member of the public wishes to raise an item for the attention of Councillors, it is strongly advised that advance notice of this must be provided to the Parish Clerk three days prior to the meeting in question otherwise the Parish Council cannot guarantee a response on the night of the meeting, and which will, instead be provided post meeting. The monthly parish meetings will have a specific session for members of the public to raise such items. The period of time designated for public participation at a meeting in accordance with the above shall not exceed fifteen minutes in total unless directed by the Chair of the meeting. An item from the public shall not require a response at the meeting nor start a debate on the question. The Chair of the meeting may direct that a written or oral response be given.

4.6 There is no entitlement for a member of the public to speak during the meeting, (ie outside of the designated public session) however at the discretion of the Chair a person may request to speak on an item of business and should do so by raising their hand. The Chair is not obliged to allow a person to speak especially if they feel this will disrupt the business of the meeting.

- 4.7 A person who speaks at a meeting shall direct their comments singularly to the Chair.
- 4.8 Only one person is permitted to speak at a time. If more than one person wants to speak, the Chair of the meeting shall direct the order of speaking.
- 4.9 Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is permitted by advance warning to the Parish Clerk, advising what media will be used, for what purpose and who will have access to the media. The Clerk is responsible for ensuring members of the public are aware of this standing order and is also required to ensure that attendees at a meeting, including Councillors are aware that they may be photographed, Any individual including Councillors can request via the Clerk that they are not photographed.
- 4.10 The press shall be provided with reasonable facilities for the taking of their report of all or part of a Council or Committee meeting at which they are entitled to be present.

#### 4.11 Quorum

All parish meetings will need a minimum number of Councillors attending (quorum). This will be four councillors. Ordinary meetings can still be held in the absence of a quorum; however, no voting or decision on matters pending will be permitted. Subject to a Council meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors present and voting.

#### 4.12 Voting

Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda. In normal circumstances there is no requirement to detail how a Councillor has voted in the minutes of the meeting.

### **5 Minutes of Parish Meetings**

5.1 The Clerk will take summary notes of all Parish Meetings, or in the absence of the Clerk, a designated Councillor. To aid the accuracy of this task the meeting may be recorded by the Clerk who should advise of this at the commencement of the Meeting. It is not expected the minutes are verbatim and will be a summary of the key points of said meeting.

5.2 Draft minutes of the preceding meeting will be provided to the Councillors at least three days before the next meeting. Councillors will advise the Clerk of any required amendments prior to the next meeting. Cllrs can only amend factual details and if there is dispute of the facts the matter will be discussed and agreed at the next meeting by majority Cllr vote.

5.3 As standard point of procedure in any meeting, the Chair will ask Councillors to agree the accuracy of the minutes of the preceding meeting and if agreed, will sign as a true document. This will be duly noted in the meeting notes.

5.4 Once signed by the Chair, minutes cannot be changed and they shall be taken as read.

## 5.5 Format of Minutes

The minutes of a meeting shall include the following legal requirements:

1. the time and place of the meeting
2. the names of councillors present and absent
3. interests that have been declared by councillors and non-councillors with voting rights
4. whether a councillor with voting rights left the meeting when matters that they held interests in were being considered
5. if there was a public participation session
6. the resolutions made on Agenda items
7. agreed items of discussion (Matters Arising)

## 6 **Declarations of Interest (Meetings and General)**

6.1 It is an absolute duty of all Councillors to read the Woodmansey Parish Council Code of Conduct in conjunction with these Standing Orders.

6.2 As a standard point of procedure, in all Parish Council meetings Councillors will be asked if they have any disclosable interests relevant to the meeting. It is the responsibility of individual Councillors to declare interests. A councillor with voting rights who has a disclosable interest or another interest as set out in the Council's Code of Conduct (see separate document) in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on their right to participate and vote on that matter – please refer to our Code of Conduct for definitions of 'disclosable interest'.

6.3 If a Council or Committee meeting is or becomes inquorate due to a declaration of interest, then the Chair will refer to the terms of Meeting Quorum as detailed in these orders.

## 7 **Code of Conduct and Dispensations**

7.1 Unless granted a dispensation, a councillor with voting rights shall withdraw from a meeting when it is considering a matter in which they have a disclosable pecuniary interest, returning when the discussions and voting have been concluded. The Councillor shall not vote on any matter for which they have a disclosable pecuniary interest, unless they have been granted a dispensation.

7.2 A Dispensation is a request by a Councillor who has advised a declarable interest but feels there are grounds NOT to be excluded during discussions or voting. It is recommended that a Councillor seeks advice from East Riding of Yorkshire Council's Democratic Services or the Parish Clerk before submitting a dispensation request.

7.3 All such formal 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.

7.4 A decision as to whether to grant a dispensation shall be made by the Parish Chair and the Deputy Chair, after taking advice from the Proper Officer and that decision is final.

- 7.5 A dispensation request shall confirm:
- the description and the nature of the disclosable interest to which the request for the dispensation relates;
  - whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
  - the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
  - an explanation as to why the dispensation is sought.
- 7.6 Typical grounds for a dispensation will include:
- 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
  - granting the dispensation is in the interests of persons living in the Council's area or it is otherwise appropriate to grant a dispensation.

## **8 Handling Confidential or Sensitive information**

8.1 Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.

8.2 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. Where it is evident the subject matters meet this criteria, Councillor debate and voting will be in a closed session (no members of the public in attendance). The fact a debate is a closed session should be made clear on the Meeting Agenda and the Clerk shall keep a redacted record for the purposes of statutory audit or scrutiny request by appropriate authorities.

## **9 Dealing with Public Complaints**

9.1 Should a formal complaint be made against a Councillor, this should be referred to Democratic Services.

9.2 Should a formal complaint be made with regard to the activities of the Parish Council, the Parish Clerk should deal with this in a proper and prompt manner, keeping Councillors updated and seeking approval for any formal response. The Parish Council will aim to deal with such complaints within ten (working) days of receipt of the complaint.

## **10 Duties and Responsibilities of the Proper Officer (Parish Clerk and Responsible Financial Officer)**

10.1 The Proper Officer shall be (i) the Parish Clerk or (ii) other staff member nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent. The role of the Proper Officer is to provide Councillors with professional and informed advice on matters relating to the business of the Parish Council. No decisions should be made by the Proper Officer and any actions carried out on behalf of the Parish Council should under all circumstances be approved by a majority of Councillors.

<b>Core Responsibilities of the Proper Officer</b>
at least three clear days before a meeting of the Council, serve on councillors a summons, by email, confirming the time, place and the agenda of said meeting
give public notice of the time, place and agenda at least three clear days before a meeting of the Council
include on the agenda all Items in the order received unless a councillor has given written notice at least four days before the meeting confirming his withdrawal of it;
convene a meeting of full Council for the election of a new Chair of the Council, occasioned by a casual vacancy in this office
receive and retain copies of byelaws made by other local authorities;
retain acceptance of office forms from councillors
retain a copy of every councillor's register of interests
assist with responding to requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council's policies and procedures relating to the same
receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary
manage the organisation, storage of, access to and destruction of information held by the Council in paper and electronic form
arrange for legal deeds to be executed
arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations;
record every planning application notified to the Council and the Council's response to the local planning authority as appropriate for such purpose;
refer planning applications received on a monthly basis to all Councillors within two working days of receipt to facilitate the arrangements of the Planning Protocol
Manage the Council's website in an appropriate manner

## 10.2 Responsible Financial Officer

The Council shall appoint an appropriate staff member to undertake the work of the Responsible Financial Officer – this will usually be the Parish Clerk.

10.3 The Responsible Financial Officer shall supply to each councillor on a monthly basis a financial report showing the accounts transactions for the Council for the preceding month, in addition the RFO will provide a quarterly budget report to Councillors summarising the Council's receipts and payments for the last quarter and the year to date for information.

10.4 The RFO is responsible for providing accounting statements for the year in the form of the annual return, as required by proper practices, for consideration and approval. The year-end accounting statements shall be prepared in accordance with proper practices and applying the form of accounts determined by the Council (receipts and payments, or income and expenditure) for a year to 31st March.

## 11 **Accounts and Accounting Statements**

11.1 All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's Financial Regulations.

11.2 All payments will require two authorised signatures approving payment which are those identified in the Bank Mandate and kept by the Proper Officer.

## 12 Requests for Information

12.1 Requests for information held by the Council should be submitted to the Parish Clerk, whose contact details will be on the website. All such requests will be handled in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000 and the Data Protection Act 1998.

## 13 Relations with the Press/Media

13.1 Under no circumstances should statement or comment (verbal or written) should be made individually by a Parish Councillor or the Clerk without prior referral to full Council for consideration and approval.

## 14 Communicating with District and County Councillors

14.1 An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the Ward Councillor(s) of the Local Authority representing the area of the Council.

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These standing Orders were reviewed and approved by the Parish Council, noted in the minutes of the *October 2020* ordinary meeting, and signed by the following as a true document.

Amended and Revised *October 2020*

Approved

Signed *Kerri Harold*  
Parish Chair (Kerri Harold)

Date ..... *19<sup>th</sup> October 2020*

Approved

Signed *Amanda Beal.*  
Parish Deputy Chair (Amanda Beal)

Date ..... *19<sup>th</sup> October 2020.*