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# GREAT SOMERFORD (INCORPORATING STARTLEY) PARISH COUNCIL

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## Standing Orders

### MEETINGS

1. Meetings shall be held in accessible accommodation open to members of the public. The meetings will not be held in premises used for the supply of alcohol unless no other accommodation is available.
2. The Statutory Annual Meeting of the Parish Council
  - (2.a) In an election year the Annual Meeting of the Council shall be held on or within 14 days following the day on which the new councillors elected take office
  - (2.b) 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.
3. The three other statutory meetings shall be held in the months of September, January and March.
4. Additional meetings shall be held at the discretion of the Parish Council as appropriate.
5. **Extraordinary Meetings**
  - (a) The Chairman of the Council may convene an extraordinary meeting of the council at any time.

If the Chairman of the Council does not or refuses to call an extraordinary meeting of the council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the council. The public notice giving the time, place and agenda for such a meeting must be signed by the two councillors.
  - (b) The chairman of a committee [or a sub-committee] may convene an extraordinary meeting of the committee [or the sub-committee] at any time.
  - (c) If the chairman of a committee [or a sub-committee] does not or refuses to call an extraordinary meeting within 7 days of having been requested by to do so by 2 members of the committee [or the sub-committee], any 2 members of the committee [and the sub-committee] may convene an extraordinary meeting of a committee [and a sub-committee].

### CHAIRMAN OF MEETING

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

## **PROPER OFFICER**

7. The Proper Officer of the Council is the Clerk. The Responsible Financial Officer of the Council is the Clerk. Other duties and responsibilities of the Clerk are as laid down in the Conditions of service Contract and Job Description.

## **QUORUM**

8. Three members shall constitute a quorum. If a quorum is not present when the Council meets or if during a meeting the number of Members, for whatever reason, falls below the quorum, the business not transacted at that meeting shall be transacted at the next meeting or on such other day as the Chairman may decide.

## **VOTING**

9. 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.
10. (i) Subject to (ii) and (iii) below, the Chairman may give an original vote on any matter put to the vote. In the case of an equality of votes, the Chairman shall have a second or casting 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 their 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.

## **ORDER OF BUSINESS**

(Note- In an election year Councillors should execute Declarations of Acceptance of Office in each other's presence, or in the presence of a proper officer previously authorised by the Council to take such declaration, before the annual meeting commences.)

11. At each Annual Meeting the first business shall be
  - (1.a) To elect a Chairman.
  - (1.b) To receive the Chairman's declaration of acceptance of office or, if not then received, to decide when it shall be received.
  - (1.c) In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.
  - (1.d) To decide when any declarations of acceptance of office which have not been received as provided by law shall be received.
12. At every meeting other than the annual 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) as are required by law to be made, or if not then received to decide when they shall be received.
  - (12.a) After consideration to approve the signature of the Minutes by the person

presiding as a correct record.

- (12.b) To deal with business expressly required by statute to be done.
- (12.c) The order of business shall be stated on an agenda paper which shall be delivered to each Member at least three clear days prior to the date of the meeting along with the summons convening the meeting.

### **RESOLUTIONS MOVED ON NOTICE**

- 13. Except as provided by these Standing Orders, no resolution may be moved unless the business to which it relates has been included on the agenda.
- 14. Members may put an item or notice of resolution on the agenda by giving the Clerk written notice of the item or resolution at least seven clear days prior to the meeting to which that agenda relates.

### **RESOLUTIONS MOVED WITHOUT NOTICE**

- 15. Resolutions on procedural matters may be moved without notice including those to vary the order of business on grounds of urgency or procedural efficiency. Such resolutions shall be put to the vote without discussion.

### **RESCISSION OF PREVIOUS RESOLUTIONS**

- 16. A decision of the Council (whether affirmative or negative) shall not be reversed within six months unless material new information comes to light which was not known at the time of the previous resolution or by a special resolution, the written notice of which bears the names of at least three Members of the Council. When such a resolution has been disposed of, no similar resolution may be moved within a further six months.

### **DISORDERLY CONDUCT**

- 17. All members must behave in a manner required by the Code of Conduct which was originally adopted by the Council in 2012 and is reviewed and updated annually.

### **INTERESTS**

- 18.
  - (a) All councillors with voting rights shall observe the code of conduct adopted by the council.
  - (b) Unless he has been granted a dispensation, a councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.
  - (c) Unless he has been granted a dispensation, a councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the council's code of conduct. He may return to the meeting after it has considered the matter in which he had the interest.
  - (d) 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.

- (e) A decision as to whether to grant a dispensation shall be made [by the Proper Officer] OR [by a meeting of the council, or committee or sub-committee for which the dispensation is required] and that decision is final.
- (f) A dispensation request shall confirm:
  - i.i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
  - i.ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
  - i.iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
  - i.iv. an explanation as to why the dispensation is sought.

19. All members must register their interest on line in accordance with regulations.

20. If a member has a personal interest as defined by the Code of Conduct in force then he shall declare such interest as soon as it becomes apparent, disclosing the nature and extent of that interest as required.

### **INSPECTION OF DOCUMENTS**

21. All Minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council and the public, on request.

### **ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS**

22. The public 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 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 be temporarily excluded and they are instructed to withdraw”

(Note – The special reasons should be stated. If a person’s advice or assistance is needed they may be invited (by names) to remain after the exclusion resolution is passed).

A person may not orally report or comment about a meeting as it takes place but otherwise may film, photograph or make an audio recording of a meeting. However, the Clerk must be notified before-hand.

23. The Clerk shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present.

### **24.CODE OF CONDUCT ON COMPLAINTS**

- (a) Upon notification by the Unitary Council that it is dealing with a complaint that a councillor with voting rights has breached the council’s code of conduct, the Proper Officer shall, report this to the council. The Council will then decide on what action (if any) to take.
- (b) Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of Council of this fact, and the Chairman will agree with members,

what action, if any, to take

- (c) The council may:
- a.i. provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
  - a.ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
  - a.iii. indemnify the councillor with voting rights in respect of his related legal costs and any such indemnity is subject to approval by a meeting of the council.

25. The Council shall deal with complaints of maladministration allegedly committed by the Council or by an Officer or member in such manner as adopted by the Council except for those complaints which should be properly directed to the Monitoring Officer at Wiltshire Council for consideration.

### **STANDING ORDERS TO BE GIVEN TO MEMBERS**

26. A 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 comply with the Code of Conduct adopted by the Council.

### **CONSIDERATION OF ADVICE PROVIDED AND GIVING REASONS**

27. Councillors should have regard to advice from the Proper Officer of the Council where it is given under the officer's statutory duties. Councillors should give reasons for all decisions in accordance with statutory requirements. Where councillors disagree with officer recommendations in making a decision, particular care should be taken in giving clear reasons for the decision.

*The first edition of these Standing Orders/Financial Regulations were adopted on the 10<sup>th</sup> April 2013.*

<i>Reviewed 11<sup>th</sup> April 2012 Min No 50.12</i>	<i>Reviewed 10<sup>th</sup> April 2013 Min No 220.13</i>
<i>Reviewed 12<sup>th</sup> March 2014 Min No 170.14</i>	<i>Reviewed 11<sup>th</sup> March 2015 Min No. 162.15</i>
<i>Reviewed 9<sup>th</sup> March 2016 Min No 147.16</i>	<i>Reviewed 15<sup>th</sup> March 2017 Min No. 153.17</i>
<i>Reviewed 4<sup>th</sup> April 2018 Min 18/04/17</i>	<i>Reviewed 3rd April 2019 Min 19/04/8.1</i>
<i>Reviewed 1<sup>st</sup> April 2020 Min 20/04/0</i>	<i>Reviewed 7 April 2021 Min 21.04/8.3</i>
<i>Reviewed 6 April 2022 Min 22/04/8.2</i>	<i>Reviewed 7 June 2023 Min ..23/07/4b</i>

**Approved and re-adopted by the Parish Council 7 June 2023**



**Signed**

**Chair**