

# ***HAWKESBURY PARISH COUNCIL***

## ***STANDING ORDERS***

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<b>STANDING ORDERS OF HAWKESBURY PARISH COUNCIL</b>	
<b>1</b>	<b>Rules of debate at meetings</b>
<b>a</b>	Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the Chairman of the meeting

<b>1</b>	<b>Rules of debate at meetings</b>
<b>a</b>	Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the Chairman of the meeting
<b>b</b>	A motion (including an amendment) shall not be progressed unless it has been moved and second
<b>c</b>	A motion on the agenda that is not moved by its proposer may be treated by the chairman of the meeting as withdrawn.
<b>d</b>	If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
<b>e</b>	An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
<b>f</b>	If an amendment to the original motion is carried, the original motion becomes the substantive motion upon which further amendment(s) may be moved.
<b>g</b>	An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chairman of the meeting, is expressed in writing to the chairman.
	<p><b>MEETINGS-Chairing meetings</b></p> <p>The Chair of the parish council (and in his absence the Deputy Chair, if there is one) shall chair or preside meetings of the council.</p> <p>In the event that the person normally expected to preside the meeting is not able to, those Members present should decide who amongst them shall preside.</p> <p>The Clerk should supervise the selection by inviting nominations and putting them to the vote.</p> <p>Where a chair has to be selected, the meeting starts when the selection decision is made. The minutes should record the selection of the chair (i.e. 'Cllr X was selected to chair the meeting).</p>
<b>1.</b>	<b>The Statutory Annual Meeting of the Council shall be held:</b>
<b>(a)</b>	In the year of ordinary elections of parish Councillors the annual meeting of the parish council shall be held within 14 days after the day on which Councillors elected take office.
<b>(b)</b>	<b>An annual meeting of the Parish Council shall be held every year on the first Monday in May (excluding bank holidays).</b>
<b>2.</b>	<b>The three other statutory meetings shall be held in accordance with the Calendar of Meetings approved by the Council.</b>
<b>3.</b>	<b>An extraordinary meeting is one which is called specifically. They are usually convened to deal with urgent or unforeseen business of the Council. It may be called at any time by;</b>
<b>(a)</b>	by the Chairman and in his absence by the Vice Chair
<b>(b)</b>	Any 2 Members of a parish council may submit a written request signed by them to the Chair of the parish council to call an extraordinary meeting. In the event of the Chair not calling an extraordinary meeting within 7 days of receiving the request, the 2 members may call an extraordinary meeting.
<b>4.</b>	<b>Meetings of the Council shall normally be held on the first Monday of the month (excluding bank holidays), commencing at 7.30 p.m and finish no later than 10pm, the venue Hawkesbury</b>

4.	<p><b>Meetings of the Council shall normally be held on the first Monday of the month (excluding bank holidays), commencing at 7.30 p.m and finish no later than 10pm, the venue Hawkesbury Village Hall Meeting Room or the Methodist Hall.</b></p> <p><i>Most meetings of a parish council take place in the evening and should not last more than 3 hours. It should be possible to transact the business of a meeting in 1 hour or 1 hour and 30 minutes. If a meeting is scheduled for a longer period, e.g. 2 or 3 hours, it is difficult to maintain the interest of members of the public and Councillors. Meetings of parish councils and their committees are required to be open to the public and in the interest of facilitating public attendance and engagement, it is important that meetings are not convened too late in the evening and do not run over time.</i></p> <p><i>Meetings shall not be held in premises being used at the time for the supply of alcohol as permitted by the Licensing Act 2003 unless no other suitable room is available free of charge or at a reasonable cost.</i></p> <p><i>Notice of the time and place of meetings must be fixed in a conspicuous place in the parish at least 3 clear days before the meeting. Where a meeting is called by Members of the council (1.3.4 above), the notice shall be signed by those Members and shall specify the business proposed to be transacted at the meeting (the agenda).</i></p> <p><i>All Members of the council (or the committee, if this is the case) shall be given at least 3 clear days written notice via email of all meetings of the council (or committee) from the Proper Officer specifying the business proposed to be transacted which will take the form of an agenda.</i></p>
	<p><b><u>CHAIRMAN</u></b></p>
5.	<p>The Chairman shall preside at the meeting of the Council.</p>
6.	<p><b>In the absence of the Chairman, the Vice Chairman of Council, or in their absence, the person elected by the meeting to preside at that meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.</b></p>
	<p><b><u>QUORUM</u></b></p> <p>No business shall be considered at a meeting of the parish council unless one-third of the total number of Councillors is present, or, where more than one-third of the Councillors are disqualified from acting, then one-third of the remainder is present. In any event, there must be no fewer than 3 Members present at a meeting.</p> <p>Unless the quorum is met, the council meeting cannot commence, no business may be transacted and no decisions can be made.</p> <p>A meeting which is inquorate is unlawful and those Members present are not competent to resolve that the meeting is adjourned. It is desirable to have a Standing Order which has the effect of declaring that the meeting shall stand adjourned if the quorum is not present within 30 minutes of the start time of the meeting.</p> <p>In practical terms, the meeting should be reconvened.</p>
7.	<p><b>A quorum shall be three or the number equal to one third of the membership whichever is the greater</b></p>
	<p><b><u>ORDER OF BUSINESS</u></b></p>
	<p><i>(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).</i></p>
8	<p><b>At each Annual Meeting the first business shall be</b></p> <p><b>To elect a Chair</b></p>

<p><b>8</b></p> <p>a.</p> <p>b</p> <p>c.</p> <p>d</p> <p>e</p> <p>f</p> <p>g</p> <p>h</p>	<p><b>At each Annual Meeting the first business shall be</b></p> <p><b>To elect a Chair</b></p> <p><b>To receive the Chair’s declaration of acceptance of office or, if not then received, to decide when it shall be received.</b></p> <p><b>In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.</b></p> <p><b>To decide when any declarations of acceptance of office which have not been received as provided by law shall be received</b></p> <p>To elect a Vice-Chair.</p> <p>To appoint cemetery committee</p> <p>To confirm dates of Council Meetings and standing committees for forthcoming year.</p> <p>To appoint Working Groups.</p> <p><b>To appoint representatives to Outside Bodies and Joint Committees</b></p>
<p><b>9</b></p>	<p><b>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) as are required by law to be made, or if not then received to decide when they shall be received.</b></p>
<p><b>10</b></p>	
<p>a</p> <p>b</p> <p>c</p> <p>d</p> <p>e</p> <p>f</p> <p>g</p>	<p>Fifteen minutes to be allowed for members of the public to address the Council.</p> <p>South Gloucestershire Councillors and Representatives of Other Bodies and Joint Committees to report on matters relating to the Parish and not included in the summons.</p> <p>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.</p> <p><b>After consideration to approve the signature of the Minutes by the person presiding as a correct record.</b></p> <p><b>To deal with business expressly required by statute to be done.</b></p> <p><b>Any other business specified in the summons.</b></p> <p>The meeting will finish at 10pm</p>
<p><b>11</b></p>	<p>Subject to Standing Order 10 (d) and (e) a motion to vary the order of business on the grounds of urgency.</p>
<p>a</p> <p>b</p>	<p>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</p> <p><b>shall be put to the vote without discussion</b></p>
	<p><u>QUESTIONS</u></p>
<p><b>12</b></p>	<p>A Member may ask the Chair or the Clerk any question concerning the business of the Council.</p>
<p><b>13</b></p>	<p>Every question shall be put and answered without discussion.</p>
<p><b>14</b></p>	<p>A person to whom a question has been put may decline to answer.</p>
	<p><u>RESOLUTION MOVED ON NOTICE</u></p>
<p><b>15</b></p>	<p>Except as provided by these Standing Orders, no resolution may be moved unless the mover has given notice in writing of its terms and has delivered the notice to the Clerk at least 7 clear days before the next meeting of the Council.</p>
<p><b>16</b></p>	<p>The Clerk shall insert in the summons for every meeting all notices of motion properly given in the order in which they have been received unless the Member giving notice of motion has stated in writing that he or she intends to move at some later meeting or that he or she withdraws it.</p>

	given in the order in which they have been received unless the Member giving notice of motion has stated in writing that he or she intends to move at some later meeting or that he or she withdraws it.
<b>17</b>	Every resolution or recommendation shall be relevant to some question over which the Council has power or which affects its area.
	<u>VOTING</u>
<b>18</b>	Voting shall be by show of hands, or, if a least two Members so request, by secret ballot.
<b>19a</b>	<b>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 or abstained. Such a request must be made before the vote is taken.</b>
<b>b</b>	Following a vote, a member may request that his or her individual vote or abstention is recorded
<b>20a</b>	<b>Subject to (b) and (c) below the Chair 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 even though he or she gave no original vote.</b>
<b>b</b>	<b>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 or she may not give an original vote in an election for Chair.</b>
<b>c</b>	<b>The person presiding must give a casting vote whenever there is equality of votes in an election for Chair.</b>
	<u>CO-OPTION OF COUNCILLORS</u>
<b>21</b>	When the Council is looking to fill a vacancy through co-option
<b>a</b>	The vacancy is to be advertised in all wards and in the local press
<b>b</b>	Any person so qualified and wishing to stand as a Councillor should be proposed and seconded by existing councillors
<b>c</b>	Applications should be in writing to the Clerk To The Council who should then forward the application to the Clerk to enable details to be circulated to the Council prior to the start of the Adoption Meeting
	<u>VOTING ON APPOINTMENTS</u>
<b>22</b>	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.
<b>23</b>	In the case of appointment to the Council by co-option, if there is an equality of votes, the casting vote will be given by the Councillors from the Ward where the vacancy has occurred.
	<u>RULES OF DEBATE</u>
<b>24</b>	These rules of debate apply equally to meetings of the Council.
<b>25</b>	No discussion shall take place upon the Minutes except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chair.

<b>25</b>	No discussion shall take place upon the Minutes except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chair.
<b>26</b>	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 or her before it is further discussed or put to the meeting.
<b>27</b>	An amendment shall be either –
<b>a</b>	To leave out words.
<b>b</b>	To leave out words and insert or add others.
<b>c</b>	To insert or add words.
<b>28</b>	An amendment shall not have the effect of negating the resolution before the Council.
<b>29</b>	If an amendment is 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. A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
<b>30</b>	A Member may rise to make a point of order or a personal explanation. A personal explanation shall be confined to some material part of a former speech by him or her, which may have been misunderstood. A Member indicating a wish to speak for these purposes shall be heard forthwith.
<b>31</b>	A motion or amendment may be withdrawn by the proposer with the unanimous consent of the Council.
<b>32</b>	When a resolution is under debate no other resolution shall be moved except the following:-
<b>a</b>	To amend the resolution.
<b>b</b>	To proceed to the next business.
<b>c</b>	To adjourn the date.
<b>d</b>	That the question be now put.
<b>e</b>	That a Member (named) be not further heard.
<b>f</b>	That a Member (named) do leave the meeting.
<b>g</b>	That the resolution be referred to a Committee (or Council).
<b>h</b>	To exclude the public or the press or both.
<b>i</b>	To adjourn the meeting.
<b>33a</b>	The ruling of the Chair on a point of order or interpretation of Standing Orders shall be final and shall not be discussed.
<b>b</b>	Members shall address the Chair.
<b>c</b>	If two or more Members speak or indicate a wish to speak the Chair shall call upon one of

<b>b</b>	Members shall address the Chair.
<b>c</b>	If two or more Members speak or indicate a wish to speak the Chair shall call upon one of them to speak and then the other(s) in turn.
<b>d</b>	Whenever the Chair calls for order all other Members shall be seated and silent.
<b>34</b>	A member may, with the consent of his seconder, move amendments to his own resolution.
	<u>DISORDERLY CONDUCT</u>
<b>35a</b>	No Member shall misconduct him or herself at a meeting by persistently disregarding the ruling of the Chair, by wilfully obstructing business, or by behaving irregularly, offensively, improperly or in such a manner as to scandalise the Council or bring it into contempt or ridicule
<b>b</b>	If, in the opinion of the Chair, a Member has so misconducted him or herself, the Chair shall express that opinion to the Council and 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.
<b>c</b>	If either of the motions mentioned in paragraph (c) is disobeyed, the Chair may suspend the meeting or take such further steps as may reasonably be necessary to enforce them.
	<u>RESOLUTION MOVED WITHOUT NOTICE</u>
<b>36</b>	Resolutions dealing with the following matters may be moved without notice:-
	<ul style="list-style-type: none"> <li>(a) To appoint a Chair of the meeting.</li> <li>(b) To correct the Minutes.</li> <li>(c) To approve the Minutes.</li> <li>(d) To alter the order of business.</li> <li>(e) To proceed to the next business.</li> <li>(f) To close or adjourn the debate.</li> <li>(g) To appoint a committee or any Members thereof.</li> <li>(h) To adopt a report.</li> <li>(i) To authorise the sealing of documents.</li> <li>(j) To amend a motion.</li> <li>(k) To give leave to withdraw a motion or an amendment.</li> <li>(l) To extend the time limit for speeches.</li> <li>(m) To exclude the public.</li> <li>(n) To exclude the press.</li> <li>(o) To silence or eject from the meeting a Member named for misconduct.</li> <li>(p) To invite a Member who has declared a personal interest which is not a prejudicial interest in the subject matter under debate to remain.</li> <li>(q) To give the consent of the Council where such consent is required by these Standing Orders.</li> <li>(r) To suspend specified Standing Order/s other than those having the force of law.</li> <li>(s) To adjourn the meeting.</li> </ul>
	<u>RESCISSION OF PREVIOUS RESOLUTION</u>
<b>37a</b>	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 six Members of the Council, or by a resolution moved in pursuance of the report or recommendation of a Committee.

	six months save by a special resolution, the written notice whereof bears the names of at least six Members of the Council, or by a resolution moved in pursuance of the report or recommendation of a Committee.
<b>b</b>	When a special resolution or any other resolution moved under the provision of paragraph (a) of this order has been disposed of, no similar resolution may be moved within a further six months.
	<u>DISCUSSIONS AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL</u>
<b>38</b>	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) have decided whether or not the public and press shall be excluded.
	<u>ADMISSION OF THE PRESS AND PUBLIC TO MEETINGS</u>
<b>39</b>	<b>The Clerk shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present.</b>
<b>40</b>	<b>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:</b>  “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.” <i>(Notes: The special reasons should be stated. If a person’s advice or assistance is needed they may be invited (by name) to remain after the exclusion resolution is passed.)</i>
<b>41</b>	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 Council Chamber.
	<u>CONFIDENTIAL BUSINESS</u>
<b>42</b>	No Member of the Council or of any committee or working group shall disclose to any person who is 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>43</b>	The contents of any document or report which may be circulated to any member or members of the Council and which is marked ‘Confidential’ shall not be disclosed to any other person or persons.
<b>44</b>	Any Member in breach of the provisions of paragraph (a) of this Standing Order may be removed from any committee or working group of the Council by the Council.
	<u>INSPECTION OF DOCUMENTS</u>
<b>45</b>	A Member may for the purpose of his duty (but not otherwise), inspect any document in possession of the Council or a committee
<b>a</b>	<b>All Minutes kept by the Council and by any committee shall be open for the inspection of any Member of the Council.</b>
<b>b</b>	The Minutes of the Council (excluding confidential background information) shall be open to inspection by any local government elector of the parish without charge.
	<u>UNAUTHORISED ACTIVITIES</u>
<b>46</b>	No Member of the Council shall in the name of or on behalf of the Council



	<u>UNAUTHORISED ACTIVITIES</u>
<b>46</b>	No Member of the Council shall in the name of or on behalf of the Council
<b>a</b>	Inspect any lands or premises which the Council has a right or duty to inspect, or
<b>b</b>	Issue orders, instructions or directions unless authorised to do so by the Council or the relevant Committee, or
<b>c</b>	Make any statement or take any action in the name of or on behalf of the Council or purporting to be or likely to be construed as to be in the name of or on behalf of the Council which either commits Council to any expenditure or commits or appears to commit the Council to any particular course of action unless authorised to do so by the Council or the relevant committee or sub-committee.
	<u>INTERESTS</u>
<b>47</b>	If any Member has a personal interest within the meaning of the Code of Conduct as introduced by SI 2000/3335 subsequent to Part III of the Local Government Act 2000 in any matter, s/he must declare it.  If any member has a personal interest which is also a prejudicial interest within the meaning of the Code of Conduct as introduced by SI 2000/3335 subsequent to Part III of the Local Government Act 2000 in any matter, s/he must declare it, and while it is under consideration by the Council, withdraw from the meeting unless the interest is trivial in the manner described in section 97(5).
<b>48</b>	<b>The Clerk shall record in a book to be kept for the purpose, particulars of any notice given by any Member or any Officer of the Council of a pecuniary interest in a contract, and the book shall be open during reasonable hours of the day for the inspection of any Member.</b>
<b>49</b>	<b>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 to do so 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 Standing Order 47 shall apply. The Clerk shall make known the purport of this Standing Order to every candidate.</b>
	<u>CANVASSING OF AND RECOMMENDATIONS BY MEMBERS</u>
<b>50a</b>	Canvassing of Members 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>b</b>	A Member of the Council shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but, nevertheless, a Member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an appointment.
<b>c</b>	Standing Order 51 shall apply to tenders as if the person making the tender were a candidate for an appointment.
	<u>LIAISON WITH SOUTH GLOUCESTERSHIRE COUNCILLORS</u>
<b>51</b>	Notice of Council Meetings shall be sent for information to Councillors representing South Gloucestershire Wards within the parish.
	<u>ABSENCE</u>

	South Gloucestershire Wards within the parish.
	<u>ABSENCE</u>
<b>52</b>	<b>Any member who fails throughout six consecutive months to attend any meetings of the Council or committees of which he is a member s/he ceases automatically to be a member of the Council unless either he has a ‘statutory excuse’ or his reason for non attendance has been approved by the Council.</b>
<b>53</b>	Any Member who wishes to be granted formal leave of absence shall give notice to the Town Clerk in writing detailing the reasons for the absence and the anticipated period of time. This shall be presented to the Council for consideration.
	<u>VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS</u>
<b>54</b>	Any part of Standing Orders except those having the force of law ( <b>printed in bold type</b> ) may be suspended by resolution in relation to any specific item of business.
	<u>CODE OF CONDUCT ON COMPLAINTS</u>
<b>55</b>	The Council shall deal with complaints of maladministration allegedly committed by the Council or by an Officer or Member in the manner recommended by the National Association of Local Councils. <u>STANDING ORDERS TO BE GIVEN TO MEMBERS</u>
<b>56</b>	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.
	<u>SEALING/SIGNING OF DOCUMENTS</u>
<b>57a</b>	A document shall not be sealed or signed on behalf of the Council unless its sealing/signing has been authorised by a resolution of the Council.
<b>b</b>	All signed documents shall be executed by the Proper Officer in the presence of two Members who shall sign the document as witnesses. It shall be recorded in the document register and be reported to the next meeting of the Council
	<u>PROPER OFFICER</u>
<b>58</b>	Where a statute, regulation or order confers functions or duties on the Proper Officer of the Council in the following cases, he or she shall be the Clerk: -
	(a) To receive declarations of acceptance of office. (b) To receive and record notices disclosing 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. (f) To certify copies of bylaws made by the Council. (g) To sign summonses to attend meetings of the Council

