

# Lower Hardres & Nackington Parish Council

## Standing Orders

### 1. Councillors

- 1.1 Following election or co-option to the Council, each Councillor will be issued with a copy of the Code of Conduct and Standing Orders of the Council. They will sign the form of Declaration of Acceptance of Office in the presence of a Councillor who has been specifically designated by the Council for this purpose.
- 1.2 All Councillors will observe the Code of Conduct at all times when on Council business and no member will act in such a way that will bring the Council into disrepute, behave offensively in meetings or obstruct the Council's business.
- 1.3 The Code of Conduct adopted by the Council will define when a Councillor will declare a personal or prejudicial interest in an item for discussion at a Council meeting. The Councillor will declare that interest and the nature of the interest at the earliest opportunity.

### 2. Annual Meetings

- 2.1 If the Annual Meeting is in an election year it must be held within 14 days after that election. If it is not an election year then the annual meeting will take place on an appropriate day in May.
- 2.2 If the outgoing Chairman is available then he/she will preside until a new Chairman has been elected. The first business of the Annual Meeting will be the election of the Chairman (and Vice Chairman, if appropriate) and to receive their acceptance of office
- 2.3 The retiring Chairman will report on the activities of the Council for the preceding year.

### 3. Meetings

- 3.1 Meetings will be held in appropriate, accessible accommodation. Unless no other accommodation is available the meetings will not be held in premises used for the supply of alcohol.
- 3.2 An agreed frequency of meetings, subject to a minimum of three per year, will be decided at the Annual Meeting and Councillors will be advised of the meetings by the issue of a summons and agenda delivered by post or by hand. The agenda may be delivered by email provided the Council has previously agreed to this. In any case the agenda must be issued at least three clear business days before the meeting.

- 3.3 Public notices will be posted in conspicuous places informing members of the public of the venue, time, date and business to be transacted at the meeting. The notice will be posted at least three clear working days before the meeting.
- 3.4 Meetings will be open to the public and press but they may be temporarily excluded from the meeting if the business is regarded as confidential. At the discretion of the Chairman confidential items may be discussed at the end of the meeting after public and press have left.
- 3.5 Members of the public who reside in the parish may speak at Council meetings at the discretion of the Chairman of the meeting. They may not take part in discussion.
- 3.6 The County Councillor and the District Councillors will be invited to make a report to the meeting. The report is to be strictly non-political and include only items of direct relevance to the residents of Lower Hardres & Nackington. The reports will not be minuted verbatim nor attached as addenda to the minutes. All items on the agenda should have a corresponding minute. This should include the public speaking section, even if it is to record that no member of the public spoke. As a minimum if County and District Councillors do present a report then the fact they have done so should be recorded. In the event that there are matters of benefit to the residents of the Parish contained within the County and District Councillors reports e.g. services or grants they can avail themselves of, or the recording of the details would be useful to Parish Councillors when dealing with residents, then basic information should be captured as bullet points for future reference. In the event that a resident asks a question and receives a response then that basic information should be recorded. Any overtly political statements should be not recorded.
- 3.7 The agenda for the meeting will be agreed by the Proper Officer, Chairman and Vice Chairman as appropriate. The agenda will always include an item to enable Councillors to declare interests. An opportunity for public questions or statements will be made available immediately before the commencement of each meeting.
- 3.8 The Council may only take decisions on items clearly specified on the agenda; if agreed by the Chairman, any urgent items which are not on the agenda may be discussed, but no decision may be made, at that meeting.
- 3.9 The Chairman of the Council will preside at the meeting and will be responsible for the conduct of that meeting. If the Chairman is not present then the Vice Chairman will preside. If they are not present then the first matter on the agenda will be the election of an appropriate Councillor who will chair the meeting. Whoever chairs the meeting will assume the duties of the Chairman for the meeting.
- 3.10 The quorum for the Council will be one third of the total Councillor places but in any case, not fewer than 3. If there be insufficient members present then no business will be transacted and a fresh notice will be issued to reconvene the meeting at a later date.
- 3.11 If at any time during the meeting it ceases to be quorate then the meeting will be adjourned and any further business carried forward to the meeting when next convened.

- 3.12 Voting at the meeting shall be by a show of hands, unless a majority of Councillors wants a ballot. A Councillor may request that their vote is noted. A Councillor may also request that how each Councillor has voted, including abstentions, is recorded. Any request of this nature will be made before moving on to the next business.
- 3.13 In cases of equal votes the Chairman (or other person presiding) will have a second or casting vote.
- 3.14 A minute of the meeting will be kept by the nominated person. The minutes which are circulated will be draft minutes until they are approved by the Parish Council at their next meeting and signed by the person presiding at that meeting.

#### **4. Finance**

- 5.1 The Financial Regulations adopted by the Parish Council shall apply.

#### **5. Freedom of Information**

- 5.1 The Council is subject to the Freedom of Information Act and has adopted an appropriate policy. The Proper Officer will ensure the Council conforms to the requirements of the Act allowing public access to the appropriate documents.

#### **6. Proper Officer**

- 6.1 The Council may appoint a number of employees to assist it in the performance of its duties. The Council will appoint a Proper Officer to the Council which will be on an employed basis, unless the Proper Officer is a member of the Council, acting in an unpaid capacity.
- 6.2 The Proper Officer of the Council will: receive the Declarations of Acceptance of Office and notices disclosing interests; sign documents on behalf of the Council and issue agendas and notices of meetings; receive and distribute plans and documents on behalf of the Council.
- 6.3 If an employee of the Council the Proper Officer is covered by employment legislation dealing with employment rights, discrimination in employment, unfair dismissal, redundancy and similar matters. The Proper Officer will therefore have a contract of employment stating the terms and conditions under which he/she is employed. This will effectively be administered by the Chairman or designated Councillor acting with the authority of the Council.

#### **7. Committees and working groups**

- 7.1 The Council from time to time may set up committees and working groups to undertake work on behalf of the Council. The Council will set their Terms of reference, and they will report periodically to the Council.

- 7.2 Finance Committee The Finance Committee shall be comprised of all councillors. It will meet in the first two weeks of January of each year and will review and if necessary amend the budget proposed by the RFO. The Finance Committee will decide the level of precept for the forthcoming financial year which will be ratified at the January Parish Council meeting.
- 7.3 Planning Committee shall be comprised of 3 nominated councillors. It will meet when necessary between Parish Council meetings in order to decide the Parish Council's response to planning applications whose consultation date falls before the next Parish Council meeting. The Planning Committee will have full delegated powers to decide the Parish Council's response to any planning application. The Planning Committee will elect its own Chair.

## **8. Emergency Business**

- 8.1 Should it not be appropriate to convene a special meeting then any emergency business will be handled by the Proper Officer, in consultation with the Chairman and one other Councillor. Actions will be reported promptly to the Council.

## **9. Alteration or Reversal of previous decisions**

- 9.1 Decisions of the Council will not be revised within 4 months, except where a special item is placed on the agenda bearing the name of two Councillors, and is considered and approved by the Council.

## **10. Standing Orders**

- 10.1 These and any other standing orders will be reviewed annually by the Proper Officer and the Chairman, and any amendments will be decided by the Council.
- 10.2 During the course of meetings of the Council, the Chairman's decision as to the interpretation of the standing orders will be final. In cases of doubt, the Council will seek the advice of the Monitoring Officer at Canterbury City Council.
- 10.3 The Council may resolve to suspend a Standing Order, in order to progress the business of the Council, and such decision will be included in the minutes. The suspension will not be taken lightly and it will be time-limited.