



LITTLEHAM & LANDCROSS PARISH COUNCIL: STANDING ORDERS
FIRST ADOPTED 16 AUGUST 2007 [Revised May 2022]

1. MEETINGS

- 1.1 Meetings of the Parish Council shall be held in each year on such dates and times and at Littleham Village Hall, or such place, as the Parish Council may direct.
- 1.2 **Smoking is not permitted at any meeting of the Parish Council.**
- 1.3 **THE STATUTORY ANNUAL PARISH COUNCIL MEETING**
- (a) In an election year the Annual Parish Council meeting shall be held on or within 14 days following the day on which councillors are elected to take up office
- (b) In a year, which is not an election year, the Annual Parish Council Meeting shall be held on the first Thursday in May, or, in exceptional circumstances, on any date in May that the Parish Council may direct.
- 1.4 In addition to the Statutory Annual Parish Council Meeting, there will be a minimum of three additional statutory meetings held in each year, on such dates and times and at Littleham Village Hall, or such place as the Parish Council may direct.
- 1.5 **THE STATUTORY ANNUAL PARISH MEETING**
- The Statutory Annual Parish Meeting shall be held, commencing at 8.00p.m. on the same evening as the statutory Annual Parish Council Meeting, or, in exceptional circumstances, on any date between the 1st March and 1st June inclusive, that the Parish Council may direct. The Order of Business for this meeting is stated at Standing Order 7.

2. CHAIRMAN OF THE MEETING

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

3. PROPER OFFICER

Where a statute, regulation or order confers functions or duties on the proper officer of the Council in the following cases, he/she shall be the Clerk: -

- (a) To receive declarations of acceptance of office
- (b) To receive and record notices disclosing interests at meetings
- (c) To receive and retain plans and documents
- (d) To sign notices and other documents on behalf of the Parish Council
- (e) To receive copies of bylaws made by another local authority
- (f) To certify copies of bylaws made by the Parish Council
- (g) To sign and issue the summons to attend meetings of the Parish Council
- (h) To keep proper records for all Council meetings and to provide a Minute Book.

4. QUORUM

- 4.1 **Three members, or one third of the maximum (12) total membership in office, whichever is greater, shall constitute a quorum at meetings of the Parish Council.**
- 4.2 If a quorum is not present, or if during a meeting the number of Parish Councillors present and not 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 Chairman may fix.

5. VOTING

- 5.1 Members shall vote by show of hands, or if at least two members request it by signed ballot.
- 5.2 **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**
- 5.3 **Subject to (a) and (b) below, the Chairman may give an original vote on any matter put to the vote and in any case of equality of votes, may give a casting vote, whether or not he/she gave an original vote.**
- (a) **If the person presiding at an Annual Parish Council Meeting would have ceased to be a member of the Parish Council, he may not give an original vote in an election for Chairman.**
 - (b) **The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.**

6. ORDER OF BUSINESS

- 6.1 **At each ANNUAL PARISH COUNCIL MEETING, the outgoing Chairman, or the Clerk in his/her absence, shall open the meeting and receive Apologies and any Registrations of Interest.**
- (a) **The first business shall be to elect a Chairman. The Outgoing Chairman shall offer to retire from the meeting during discussion of this item only, subject to being required to return before any voting takes place.**
 - (b) **To receive the Chairman's declaration of acceptance of office. The new Chairman shall then preside.**
 - (c) **In the ordinary year of election of the Parish Council to fill any vacancies left unfilled 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 Parish Council, which have not been received as provided by law, shall be received.**
 - (e) To elect a Deputy Chairman of the Parish Council
 - (f) To appoint a Trustee to Littleham Village Hall and Rifle Field Charity and representatives to outside bodies (e.g. school governors)
 - (g) To appoint committees
 - (h) To consider payment of any subscriptions falling to be paid annually
 - (i) To review Standing Orders; Statement of Risk Analysis and Self-Help Emergency Plans
 - (j) To receive a Statement of Receipts and Payments prepared on the appropriate accounting basis for the Year to 31 March and the Statement of Accounts of the Parish Council, which is subject to external audit (see Standing Order 23).
 - (k) To inspect any deeds and trust investments in the custody of the Parish Council as required and shall thereafter follow the order set out in Standing Order 6.4
- 6.2 **At EVERY MEETING OTHER THAN THE ANNUAL PARISH COUNCIL MEETING, if the Chairman and the Vice-Chairman of the Parish Council are unavailable, the first business shall be to appoint a Chairman and to receive such declarations of acceptance of office (if any) and undertakings to observe the Parish 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.**
- 6.3 In every year, not later than the meeting at which the estimates for the next year are settled, the Parish Council shall review the pay and conditions of service of existing employees (see also Standing Order 19).
- 6.4 After the first business has been completed, the order of business, unless the Parish Council otherwise decides on the grounds of urgency, shall be as follows: -
- (a) To read and consider the minutes of the previous meeting and any additional meeting not previously considered and approved by the Parish Council, 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.
 - (b) **After consideration, to approve the signature of the Minutes by the person presiding, as a correct record.**
 - (c) **To deal with business expressly required by statute to be done**
 - (d) To dispose of business, if any remaining from the last meeting
 - (e) To receive such communications as the person presiding may wish to lay before the Parish Council
 - (f) To answer questions from Parish Councillors
 - (g) To receive and consider reports in respect of Littleham Village Hall Committee and Littleham & Landcross Parish Plan
 - (h) To receive a report on the Parish Council's balances and to authorise payments
 - (i) To consider resolutions or recommendations in the order in which they have been notified
 - (j) To authorise the signing of legal agreements
 - (k) To be informed of "any other business", which may be referred to a future meeting.
 - (l) To arrange the date of the next meeting and to declare the meeting closed.

7 ORDER OF BUSINESS FOR THE ANNUAL PARISH MEETING

The Chairman of the Parish Council will preside and the following business will be transacted: -

- (a) Minutes of the previous Annual Parish Meeting
- (b) Chairman of the Parish Council's report
- (c) Report of County Councillor for Littleham & Landcross
- (d) Report of District Councillor for Littleham & Landcross
- (e) Reports of representatives of other voluntary groups, at the discretion of the Chairman
- (f) Important local issues, at the discretion of the Chairman

Electors have a right to speak and vote and other members of the public may speak, with the Chairman's permission. Resolutions of the Annual Parish Meeting are not binding on the Parish Council.

8 URGENT BUSINESS

A motion to vary the order of business on the grounds of urgency may be proposed by the Chairman, or by any member and, if proposed by the Chairman, may be put to the vote without being seconded and shall be put to the vote, without discussion.

9 NOTICES OF MEETING, AGENDAS AND RESOLUTIONS MOVED ON NOTICE

(If a member wants an item placed on the Agenda, he/she must give the Clerk seven days written notice)

- (a) **NOTICES OF MEETING** will be displayed on the Parish Council Website, Littleham and Landcross public notice boards and on the Littleham Village hall notice board at least 3 clear days before any meeting.
- (b) 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 written notice of its terms and has delivered the notice to the Clerk at least 7 clear days before the next meeting of the Parish Council.
- (c) The Clerk shall date every notice of resolution or recommendation when received by him/her.
- (d) The Clerk shall insert in the summons (Agenda) for every meeting all notices of motion or recommendation properly given in the order in which they have been received unless the member giving notice of motion has stated in writing of the intention to move at some later date or withdraw it.
- (e) If a resolution or recommendation specified in the summons (Agenda) is not moved either by the member who gave notice, or by any other member, it shall unless postponed by the Parish Council, be treated as withdrawn and shall not be moved without fresh notice.
- (f) Every resolution or recommendation shall be relevant to some subject over which, the Council has power or duty that affects its area.
- (g) Members will receive an Agenda by e-mail, under the electronic signature of the Clerk, at least 3 clear days before the meeting. Members not wishing to receive e-mails, shall receive an Agenda either by post or personal delivery.

10 RESOLUTIONS MOVED WITHOUT NOTICE

Resolutions dealing with the following items may be moved without notice: - to appoint a Chairman of the meeting; to correct the Minutes; to approve the Minutes; to alter the order of business; to proceed to the next business; to close or adjourn the debate; to refer a matter to a committee; to appoint a committee or any members thereof; to adopt a report; to authorise the signing of agreements; to amend a motion; to give leave to withdraw a resolution or amendment; to extend the time limit for speeches; to exclude the press and public (Standing Order 28); to silence or eject from the meeting a member named for misconduct (see Standing Order 17); to give consent of the Parish Council where such consent is required by these Standing Orders; to suspend Standing Orders (see Standing Order 34); to adjourn the meeting.

11 QUESTIONS RAISED UNDER STANDING ORDER 6.4(f)

A member may ask the Chairman, or the Clerk, any questions concerning the business of the Parish Council, provided 7 clear days notice of the question has been given to the person to whom it is addressed. No question not connected with the business under discussion shall be asked except during the part of the meeting set aside for questions. Every question shall be put and answered without discussion. A person to whom a question has been put may decline to answer.

12 RULES OF DEBATE

- (a) 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 Chairman.
- (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 Chairman, be reduced to writing and handed to him before it is further discussed or put to the meeting.
- [c] A member, when seconding a resolution or amendment may, if he then declares his intention to do so, reserve his speech until a later period of the debate.
- (d) A member shall direct his speech to the question under discussion or to a personal explanation or to a question of order
- (e) No speech by a mover of a resolution shall exceed 6 minutes and no other speech shall exceed 3 minutes, except by consent of the Parish Council
- (f) An amendment shall be, either to leave out words; to leave out words and insert others; to insert or add words.
- (g) An amendment shall not have the effect of negating the resolution before the Parish Council
- (h) If an amendment is carried, the resolution as amended shall take place of the original resolution and shall become the resolution upon which any further amendment may be moved.
- (i) A further amendment shall not be moved until the Parish Council has disposed of every amendment previously moved.
- (j) The mover of a resolution or of an amendment shall have right of reply, not exceeding 3 minutes.

Standing Order 12 (continued): -

- (k) A member other than the mover of a resolution shall not, without leave of the Parish 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 a closure.

- (l) A member may speak on a point of order or on a personal explanation. A member speaking for these purposes shall be heard forthwith. He shall confine a personal explanation to some material part of a former speech, which may have been misunderstood.
- (m) A motion or amendment may be withdrawn by the proposer with the consent of the Parish 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.
- (n) When a resolution is under debate no other resolution shall be moved except: - to amend the resolution; to proceed to the next business; to adjourn the debate; that the question be now put; that a member named be not further heard; that a member named do leave the meeting; that the resolution be referred to a committee; to exclude the public and press; to adjourn the meeting.
- (o) The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed
- (p) Members shall address the Chairman. If two or more members wish to speak, the Chairman shall decide whom to call upon.
- (q) Whenever the Chairman speaks during a debate all other members shall be silent.

13 **CLOSURE**

At the end of any speech a member may, without comment, move "That the question be now put." "That debate be now adjourned", or "That the Parish Council do now adjourn". If such motion is seconded, the Chairman shall put the motion, but in the case of a motion "That the question be now put", only if he is of the opinion that the question before the Parish Council has been sufficiently debated. If the motion "That the question be now put" is carried, he shall call upon the mover to exercise or waive his right of reply and shall put the question immediately after the right has been exercised or waived. The adjournment of a debate or of the Parish Council shall not prejudice the mover's right of reply at the resumption.

14 **RIGHT OF REPLY**

The mover of the resolution shall have a right of 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 a new matter. After the right of reply has been exercised or waived a vote shall be taken without further resolution.

15 **ALTERATION OF RESOLUTION**

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

16 **RECISSION OF PREVIOUS RESOLUTION**

A decision of the Parish Council shall not be reversed within six months except either by a special resolution, the written notice whereof bears the names of at least two members, or by a resolution moved in pursuance of the report of a committee. When a special resolution or any other resolution moved under these provisions has been disposed of, no similar resolution may be moved within a further six months.

17 **DISORDERLY CONDUCT**

- (a) **All members must observe the Code of Conduct that was last adopted by the Parish Council.**
- (b) No member shall persistently disregard the ruling of the Chairman, wilfully obstruct business or behave irregularly, offensively, improperly **or in such a manner as to bring the Parish Council into disrepute.**
- [c] If in the opinion of the Chairman, a member has acted in a manner contrary to that required, the Chairman shall express that opinion to the Parish Council and thereafter any member may move 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 without discussion
- (d) If the motion in paragraph [c] is disobeyed, the Chairman may adjourn the meeting or take such further steps as may reasonably be necessary to enforce them.

18 **VOTING ON APPOINTMENTS**

Where more than two persons have been nominated for any position to be filled by the Parish 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

19 **DISCUSSIONS & RESOLUTIONS AFFECTING THE COUNCIL'S EMPLOYEES**

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 Parish Council, it shall not be considered until the Parish Council has decided whether or not the press and public shall be excluded (see Standing Order 28)

20 EXPENDITURE (PAYMENTS)

Orders for the payment of money shall be authorised by resolution of the Parish Council and signed by two persons from The Chairman or the other Members authorised on the bank mandate.

21 SIGNING OF LEGAL AGREEMENTS

A legal document shall not be signed on behalf of the Parish Council unless signing has been authorised by resolution. Signing shall be by two of three persons referred to in Standing Order 20.

22 SPECIAL MEETING

The Chairman, or Clerk, may summon an additional meeting of the Parish Council at any time. 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 ACCOUNTS, FINANCIAL STATEMENTS, ESTIMATES & PRECEPTS

- (a) All accounts for payment and claims upon the Parish Council shall be laid before the Parish Council, except where it is necessary to make a payment before it has been authorised by the Parish Council, in which case such payment shall be certified as to its correctness and urgency jointly by the Responsible Financial Officer (i.e. the Clerk) and the Chairman. Urgent payment shall only be made by authorised signature of two of three persons referred to in Standing Order 20. Urgent payments of this nature shall be exceptional, reported to the next meeting of the Parish Council and recorded in the Minutes.
- (b) The Responsible Financial Officer (i.e. the Clerk) shall supply to each member as soon as practicable after 31 March in each year, a Statement of Receipts and Payments prepared on the appropriate accounting basis for the Year to 31 March. This statement and the Statement of Accounts of the Parish Council (which is subject to external audit) shall be presented to the Annual Parish Council Meeting in May.
- (c) Written estimates for the coming Financial Year shall be approved before the Parish Precept for the coming year is determined in December.
- (d) Notifications of Parish Precept for the coming year shall be submitted before the deadline date stated by Torridge District Council.

24 LOCAL AUTHORITIES MODEL CODE OF CONDUCT

- a) **The Parish Council adopted a Code of Conduct for Members on 21st June 2012 which is the same Code adopted by Torridge District Council who employ the “Monitoring Officer” appointed under s 5&5a Local Government and Housing Act 1989.**
- b) **There is a separate Code of Conduct for members of the Public – see Para 28.**

25 MEMBER’S INTERESTS

- (a) **If a member has a personal interest as defined by the Code of Conduct adopted by the Parish Council, then he/she shall declare such interests as soon as it becomes apparent, disclosing the existence and nature of that interest as required**
- (b) **A member who has declared an “Interest” should act in accordance with Paragraph 19 of the Code of Conduct.**
- (c) **The Clerk may be required to compile and hold a Register of Members’ Interests, or a copy thereof, in accordance with the agreement reached with the Torridge District Council Monitoring Officer and or as required by statute.**
- (d) **If a candidate for any appointment under the Parish Council is to his/ her knowledge related to any member of or holder of office under the Parish Council, he/she and the person to whom he/she is related shall disclose the relationship in writing to the Clerk who shall report the fact to the Parish Council. A candidate who fails to do so shall be dismissed without notice.**

26 INSPECTION OF DOCUMENTS

A member may for the purpose of his duty (but not otherwise) inspect any document in possession of the Parish Council and if copies are available shall, on request, be supplied for the like purpose with a copy.

Subject to limitations within the freedom of Information Acts, all minutes kept by the Parish Council shall be open for the inspection of any member of the Parish Council.

27 UNAUTHORISED ACTIVITIES

No member of the Parish Council shall in the name of, or on behalf of the Parish Council, inspect any lands or premises which the Council has a right or duty to inspect, or issue orders, instructions or directions unless authorised to do so by the Parish Council.

28 ADMISSION OF THE PUBLIC & PRESS TO MEETINGS

- a) Meetings shall be open to the public 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's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.
- b) 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
- c) The period of time designated for public participation at a meeting in accordance with standing order 28(b) shall not exceed 15 minutes unless directed by the chairman of the meeting
- d) Subject to standing order 28c a member of the public shall not speak for more than 3 minutes.
- e) In accordance with standing order 28(b) a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.
- f) A person shall stand when requesting to speak and when speaking (except when a person has a disability or is likely to suffer discomfort) OR [A person shall raise his hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort)]. The chairman of the meeting may at any time permit a person to be seated when speaking.
- g) A person who speaks at a meeting shall direct his comments to the chairman of the meeting.
- h) Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.
- i) Subject to standing order 28(j), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To "report" means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.
- j) A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.
- k) The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.
- l) The public and press shall be admitted to all meetings of the Parish Council, which may temporarily exclude the public and press by means of the following resolutions:
- m) "That in view of the (special) (confidential) nature of the business about to be transacted, it is advisable in the public interest that the press and public be excluded and they are temporarily instructed to withdraw" The Parish Council shall state the special reasons for exclusion
- n) At all meetings of the Parish Council, the Chairman may at his/her discretion and at a convenient time in the transaction of business, adjourn the meeting so as to allow any member of the public to address the meeting, for up to 3 minutes, in relation to the business to be transacted at that meeting.
- o) If a member of the public interrupts the proceedings at any meeting, the chairman 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.

29 CONFIDENTIAL BUSINESS

No member of the Parish Council shall disclose to any person who is not a member of the Parish Council any business declared to be confidential by the Parish Council.

30 LIAISON WITH COUNTY & DISTRICT COUNCILLORS

A summons and agenda shall for each meeting be sent, as an invitation to attend, to the County Councillor and District Councillor for Littleham & Landcross.

31 PLANNING APPLICATIONS

A member from each community ie: Littleham & Landcross, will be nominated to receive Planning Matters Correspondence from Torridge District Council relating to his/her Community, and are to organise circulation of papers to Councillors before the relevant meeting. They are to advise both the Chair and Clerk immediately upon receipt of such correspondence so that the necessary agenda items can be prepared or arrangements made to call an Urgent meeting for Planning Purposes.

The Clerk shall enter in a book kept for the purpose, the following particulars of every planning application notified to the Council:- the date on which it was received, the place to which it relates, the TDC Application Reference Number.

32 FINANCIAL MATTERS

The Parish Council shall consider and approve Financial Regulations drawn up by the Responsible Financial Officer (the Clerk). Such regulations shall include detailed arrangements for accounting records and systems of internal control; the

assessment and management of risks faced by the Parish Council; the work of the Independent Internal Auditor and receipt of annual reports from the Independent Internal Auditor; the financial reporting requirements of members and local electors and procurement policies, including the setting of values for different procedures. The Financial Regulations of the Parish Council shall be reviewed at least once every four years.

33 CODE OF CONDUCT ON COMPLAINTS

The Parish Council shall deal with complaints of mal-administration allegedly committed by the Parish Council or any officer or member in such manner as adopted by the Parish Council except for those complaints, which should be properly directed to the Standards Board (England), or the Monitoring (TDC), as required by legislation, for consideration.

34 VARIATION, REVOCATION & SUSPENSION OF STANDING ORDERS

Any or every part of the Standing Orders (except those printed in **bold type**) may be suspended by resolutions in relation to any specific item of business. A resolution to add, vary or revoke a Standing Order shall when proposed and seconded, stand adjourned without discussion, to the next ordinary Parish Council meeting.

35 STANDING ORDERS

A copy of these Standing Orders shall be given to (or e-mailed to) each member by the Clerk upon delivery to him of a member's declaration of acceptance of office and written undertaking to observe the Code of Conduct adopted by the Parish Council.

END