



NETTLESTONE & SEAVIEW PARISH COUNCIL STANDING ORDERS

- 1 Meetings
Meetings of the Council shall be held on the third Monday of each month unless the Council decides otherwise by resolution, at a previous meeting. Unless decided otherwise, there will be a recess in August each year.
- 2 The Statutory Annual Meeting
 - a. In an election year the Annual Parish Council Meeting shall be held on or within 14 days following the day on which the councillors elected take office.
 - b. In a year which is not an election year, the Annual Parish Council Meeting shall be held on the third Monday in May or on such a day in May as the Council may direct.
- 3 Chairman of the Meeting.
The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.
- 4 Proper Officer
The Proper Officer of the Council is the Clerk. The Responsible Officer of the Council is the Clerk. Other duties and responsibilities of the Clerk are as laid down in a Job Description.
- 5 Quorum of the Council
Three Members or one-third of the total membership, whichever is the greater, shall constitute a quorum at meetings of the Council.
If a quorum is not present or if during a meeting the number of councillors present (not counting those 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.

6 Voting

- a. Members shall vote by show of hand or, if at least two Members so request, by signed ballot.
- 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. Such a request must be made before moving on to the next business.**
- c. **Subject to (i) and (ii) below the Chairman may give an original vote on any matter put to the vote and, in any case of an equality of votes may give a casting vote whether or not he gave an original vote.**
 - i **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 office he may not give an original vote in an election for Chairman.**
 - ii **The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.**

7 Order of Business

At each Annual Parish Council Meeting the first business shall be:

- a. **To elect a Chairman of the Council**
- b. **To receive the Chairman's declaration of acceptance of office.**
- c. **In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.**
- d. **To decide when any declarations of acceptance of office which have not been received as provided by law shall be received.**
- e. **To elect a Vice-Chairman of the Council.**
- f. **To appoint representatives to outside bodies.**
- g. **To appoint committees and sub-committees.**

and shall thereafter follow the order set out in the Standing Order 10.

- 8 At every meeting other than the Annual Parish Council 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) and undertaking to observe the 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.**

- 9** In April every year, the Council shall review the conditions of service of the Clerk. The Chairman and Vice-Chairman shall conduct a performance appraisal and any recommendations shall be taken to full council for decision.

- 10** After the first business has been completed, the business shall include the following:

- a. 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.

- 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 Council**
- f. To receive and consider reports and minutes of committees.**
- g. To receive and consider resolutions or recommendations in the order in which they have been notified.**
- h. To authorise payment of accounts.**

11 **Urgent Business**

A motion to vary the order of business on the ground of urgency:

- a. 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**
- b. Shall be put to the vote without discussion.**

12 **Resolutions Moved On Notice.**

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 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.

- 13** If a resolution or recommendation specified in the summons is not moved either by the Member who gave notice of it or by any other Member, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.

14 **Resolutions Moved Without Notice.**

Resolutions dealing with the following matters may be moved without notice:

- a. To appoint a Chairman of the meeting.**
- b. To correct the Minutes**
- c. To approve the Minutes**
- d. To alter the order of business**
- e. To proceed to the next business**
- f. To close or adjourn the debate**
- g. To refer a matter to a committee**
- h. To appoint a committee or any Members thereof**
- i. To adopt a report**
- j. To amend a motion**
- k. To give leave to withdraw a resolution or amendment**
- l. To exclude the press and public (see Order 32 below)**
- m. To silence or eject from the meeting a Member named for misconduct (see Order 18 below)**
- n. To give the consent of the Council where such consent is required by these Standing Orders**
- o. To suspend any Standing Order (see Order 36 below)**
- p. To adjourn the meeting**

15 Questions from the Public - Right to make Representation.

- i** Any member of the public wishing to make representation to the council on an item which is considered to be the business of the council, may speak at a council meeting (at the start of the Agenda item) for a period not exceeding 3 minutes prior to councillors formulating their comments. Members of the council will then be allowed, at the discretion of the Chair, to ask questions of the member of the public.
- ii** Where a group of members of the public (defined as any number of persons bound together by a common interest) wishes to make representations on an item which is considered to be the business of this council and is listed on the agenda; they will be required to nominate a representative, from among themselves, to speak for a maximum of 5 minutes to express the views of the group.
- iii** The total time allowed for questions/representations by members of the public will not exceed 10 minutes for any given item. The Chairman reserves the right to limit the number of speakers on any given item of business and his/her decision will be final.
- iv** If, after speaking for the allotted time, any member of the public or group persistently interrupts and does not usefully contribute to the debate the Chairman, after due warning to that person/s, may order that they be removed from the meeting and may adjourn the meeting for such a period as is necessary to restore order.
- v** Any Member of the Council, with a prejudicial interest in any item before the Council will be entitled to attend the meeting to make representation, give evidence or answer questions in the same way as any member of the public and under the same constraints laid down by the council in these standing orders, before leaving the council chamber.

16 Rules of Debate

No discussion of the Minutes shall take place except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chairman.

17 Resolutions or Amendments

- a.** A resolution or amendment shall not be discussed unless it has been proposed and seconded and, unless proper notice has already been given.
- b.** An amendment shall be either:
 - i** To leave out words
 - ii** To leave out words and insert others
 - iii** To insert or add words.
- c.** An amendment shall not have the effect of negating the resolution before the Council.
- d.** If an amendment be 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.
- e.** A further amendment shall not be moved until the Council has disposed of every amendment previously moved.

18 Disorderly Conduct.

- a. All Members must observe the Code of Conduct which was revised by the council on 21st May 2012 (Minute 3841).**
- b. No member shall at a meeting persistently disregard the ruling of the Chairman, wilfully obstruct business, or behave irregularly, offensively, improperly or in such a manner as to bring the Council into disrepute.**
- c. If, in the opinion of the Chairman, a Member has broken the provisions of paragraph (b) of this Order, the Chairman shall express that opinion to the Council and thereafter any member may move that the Member named be no long heard or that the member named leaves the meeting, and the motion, if seconded, shall be put forthwith and without discussion. If a member reasonably believes another member is in breach of the Code of Conduct, that member is under a duty to report the breach to the Chairman.**
- d. If either of the motions mentioned in paragraph c is disobeyed, the Chairman may adjourn the meeting or take such further steps as many reasonably be necessary to enforce them.**

19 Rescission of Previous Resolution.

- a. A decision (whether affirmative or negative) of the Council shall not be reversed within six months except by a special resolution, the written notice whereof bears the names of at least 6 Members of the Council.**
- b. When a special resolution or any other resolution moved under the provisions of paragraph (a) of this Order has been disposed of, no similar resolution may be moved within a further six months.**

20 Voting On Appointments.

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.

21 Discussions and Resolutions Affecting the Clerk.

If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or condition of service of the Clerk, it shall not be considered until the Council or committee (as the case may be) has decided whether or not the press and public shall be excluded.

22 Expenditure

Orders for the payment of money shall be authorised by resolution of the Council and signed by two members.

23 Committees and Sub Committees

The Council may at its Annual Meeting appoint a Planning Committee, three representatives and a reserve to Allotments Sub-Committee (which comprises 3

Members and 3 Allotment Holders) and a Finance Working Party and may at any other time appoint such other committees as are necessary, but subject to any statutory provision in that behalf.

- a. Shall not appoint any Member of a committee so as to hold office later than the next Annual Meeting.
- b. Shall delegate powers to comment on individual planning applications to the Planning Committee.
- c. May appoint persons other than Members of the Council to any Committee, and
- d. May, subject to the provision of Standing Order 20 above, at any time dissolve or alter the membership of committee.

24 The Chairman and Vice-Chairman, ex-officio, shall be voting Members of every committee.

25 Every committee shall at its first meeting before proceeding to any other business, elect a Chairman and may elect a Vice-Chairman who shall hold office until the next Annual Meeting of the Council, and shall settle its programme of meetings for the year.

26 Special Meeting.

The Chairman of a committee or the Chairman of the Council may summon an additional meeting of that committee at any time. An additional meeting shall also be summoned on the requisition in writing of not less than a quarter of the Members of the committee. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.

27 Sub Committees

- a. Every committee may appoint sub-committees for purposes to be specified by the committee.
- b. The Chairman and Vice-Chairman of the committee shall be Members of every sub-committee appointed by it unless they signify that they do not wish to service.
- c. Except where ordered by the Council in the case of a committee, or by the Council or by the appropriate committee in the case of a sub-committee, the quorum of a committee or sub-committee shall be one-half of its members.
- d. The Standing Orders on rules of debate and the Standing Order on interests of Members in contracts and other matters shall apply to committee and sub-committee meetings.

28 Voting in Committees

- a. Members of committees and sub-committees entitled to vote shall vote by show of hand or, if at least two Members so request, by signed ballot.
- b. Chairmen of committees and sub-committees shall in the case of an equality of votes have a second or casting vote.

29 Accounts and Financial Statement

These will be prepared by the Clerk as Responsible Financial Officer in accordance with the Council's Financial Regulations.

30 Declaration of Interests

- a. If a Member has a personal interest as defined by the Code of Conduct adopted by the Council on 17th September, 2007 then he shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required.**
- b. If a Member who has declared a personal interest then considers the interest to be prejudicial, he must withdraw from the room or chamber during consideration of the item to which the interest relates.**
- c. The Clerk may be required to compile and hold a register of Member's interests in accordance with agreement reached with the Monitoring Officer of the Responsible Authority and/or as required by statute.

31 Admission of the Public and Press to Meetings.

- a. 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 by means of the following resolutions: '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 temporarily excluded and they are instructed to withdraw'.**
- b. The Council shall state the special reason for exclusion.
- c. The Clerk shall afford to the press reasonable facilities for the taking of their report of any proceedings at which they are entitled to be present.
- d. If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that he be removed from the meeting and may adjourn the meeting for such period as is necessary to restore order.

32 Confidential Business.

- a. No Member of the Council or of any committee or sub-committee shall disclose to any person 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. Any Member in breach of the provisions of paragraph (1`) of this Standing Order shall be removed from any committee or sub-committee of the Council by the Council.

33 Current Isle of Wight Councillor

The current serving Isle of Wight Councillor for the Parish shall be invited to attend all Parish Council meetings as a participant. He/She shall not have voting rights unless he/she is also a Member of the Parish Council.

34 Financial Matters.

The Council shall consider and approve Financial Regulations drawn up by the Responsible Financial Officer.

- 1 Such Regulations shall include detailed arrangements for the following:
 - the accounting records and systems of internal control

- the assessment and management of risks faced by the Council
 - the work of the Internal Auditor and the receipt of regular reports from the Internal Auditor which shall be required at least annually
 - the financial reporting requirements of Members and local electors
 - procurement policies (subject to 2. below) including the setting of values for different procedures where the contract has an estimated value less than £50,000.
- 2 Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of (£50,000) shall be procured on the basis of a formal tender as summarised in 3. below.
- 3 Any formal tender process shall comprise the following steps:
- a public notice of intention to place a contract to be placed in a local newspaper
 - a specification of the goods, materials, services and the execution of works shall be drawn up
 - tenders are to be sent in a sealed marked envelope to the Clerk by a stated date and time
 - tenders submitted are to be opened after the stated closing date and time by the Clerk and at least one Member of Council
 - tenders are then to be assessed and reported to the appropriate meeting of Council or committee.
- 4 The Council, or any committee, is not bound to accept the lowest tender, estimate or quote.
- 5 The Financial Regulations of the Council shall be subject to regular review at least once every two years.

35 Code of Conduct on Complaints.

The Council shall deal with complaints of maladministration allegedly committed by the Council or by any Officer or Member in such manner as adopted by the Council except for those complaints which should be properly directed to the Standards Board.

36 Variation, Revocation and Suspension of Standing Orders.

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

37 Standing Orders to be given to Members

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 and written undertaking to observe the Code of Conduct adopted by the Council.

Approved by resolution of the Council 19th May 2008.

Reviewed Annually

Last Reviewed and agreed 18th May 2020 (Minute No 20/72/01)