

**STANDING ORDERS FOR LITTLE DUNHAM PARISH COUNCIL**  
**Adopted at the meeting of the Council held on 4<sup>th</sup> January 2018 and amended at**  
**the meeting of the Council held on 1<sup>st</sup> March 2018.**

**1. INTRODUCTION**

A degree of informality at Parish Council meetings is considered positive and constructive. Whilst this needs to be protected, there are specific areas where formality is needed, or is mandatory and the following standing orders are to be used for this purpose.

**2. MEETINGS**

2.1 Meetings of the council shall be held at Little Dunham Village Hut at 19:30 unless

the council otherwise decides at a previous meeting.

2.2 The Statutory Annual Meeting (a) in an election year shall be held on the fourth day after the date of the election or within fourteen days thereafter and (b) in a year, which is not an election year, shall be held on any day in May.

2.3 Three other statutory meetings shall be held on the first Thursday of the month.

2.4 Three additional meetings shall also be held on the first Thursday of the month,

the day may be varied if decided at a previous meeting.

2.5 A notice advertising the meeting will be placed on the notice board no later than 3 days before each meeting.

**3. CHAIRMAN OF MEETING**

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

**4. PROPER OFFICER**

4.1 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:-

4.1.1 To receive declarations of acceptance of office.

4.1.2 To receive and record notices disclosing pecuniary interests.

4.1.3 To receive and retain plans and documents.

4.1.4 To sign notices and other documents on behalf of the Council.

4.1.5 To receive copies of bye-laws made by a District Council.

4.1.6 To certify copies of bye-laws made by Council.

4.1.7 To sign summonses to attend meetings of the Council.

4.2 In any other case the proper officer shall be the person nominated by the Council and, in default of nominations, the Clerk.

**5. QUORUM**

5.1 Three members shall constitute a quorum.

5.2 If a quorum is not present when the Council meets or if during a meeting the number of councillors present and not debarred by reason of declared pecuniary interest, falls below the quorum, the business not transacted at that meeting shall be transacted at the next meeting or on such day as the Chairman may fix.

## **6. VOTING**

6.1 Members shall vote by show of hands or, if at least two members so request, by signed ballot.

6.2 If a member so requires, the Clerk shall record the names of the members who votes on any question so as to show whether they voted for or against it.

6.2.1 Subject to (6.2.2) and (6.2.3) below the Chairman 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 gave no original vote.

6.2.2 If the person presiding at the Annual Meeting would have ceased to be a member of the council but for statutory provisions which preserve the membership of the Chairman and Vice Chairman until the end of their term in office he/she may not give an original vote in an election for Chairman.

6.2.3 The Person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.

## **7. ORDER OF BUSINESS**

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

7.2 At each Annual Meeting the first business shall be

7.2.1 To elect a Chairman.

7.2.2 To receive the Chairman's declaration of Acceptance of office or, if not received, to decide when it shall be received.

7.2.3 To decide when any declarations of acceptance of office, which have not been received as provided by law, shall be received.

7.2.4 To elect a Vice-Chairman.

7.2.5 To appoint committees and representatives, if required.

7.2.6 To consider the payment of any subscriptions failing to be paid annually and shall thereafter follow the order set out in Standing Order 7.4.

7.3 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

7.4 In every other year not later than the meeting at which the estimates for the next year are settled the Council shall review the pay and conditions of

service of existing employees.

7.5 After the first business has been considered, the order of business, unless the Council otherwise decides on the grounds of urgency, shall be as follows:-

7.5.1 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.

7.5.2 After consideration to approve the signature of the Minutes by the the person presiding as a correct record.

7.5.3 To deal with business expressly required by statute to be done.

7.5.4. To dispose of business, if any, remaining from the last meeting.

7.5.5. To receive such communications as the person presiding may wish to lay before the Council.

7.5.6 To answer questions.

7.5.7 To receive and consider reports from County and District Councillors.

7.5.8 To receive and consider reports from officers of the Council.

7.5.9 To authorise the signing of orders for payment.

7.5.10 To consider resolutions or recommendations in the order in which they have been notified.

7.5.11. Any other business specified in the summons.

7.5.12 A motion to vary the order of business on the ground 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.

7.5.13 Shall be put to the vote without discussion.

## **8 RESOLUTIONS WITHOUT NOTICE**

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

8.1.1 To appoint a Chairman of the meeting.

8.1.2 To correct the Minutes.

8.1.3 To approve the Minutes.

8.1.4 To alter the order of business.

8.1.5 To proceed to the next business.

8.1.6 To close or adjourn the debate.

8.1.7 To refer the matter to a committee.

8.1.8 To appoint a committee or any members thereof.

8.1.9 To adopt a report.

8.1.10 To amend a resolution.

8.1.11 To give leave to withdraw a resolution or an amendment,

8.1.12 To exclude the public.

8.1.13 To silence or eject from the meeting a member named for misconduct.

*(See Standing Order 10 below.)*

8.1.14 To invite a member having an interest in the subject matter under a debate to remain.

*(See Standing Order 17 below.)*

8.1.15 To give the consent of the Council where such a consent is required by these Standing Orders.

8.1.16 To suspend any Standing Order.

(See Standing Order 28 below.)

## **9 CORRECTIONS TO MINUTES**

- 9.1 No discussion shall take place upon the Minutes except their accuracy.
- 9.2 Corrections to the Minutes shall be made by a vote and must be initialled by the Chairman.

## **10 DISORDERLY CONDUCT**

- 10.1 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 scandalise the Council or bring it into contempt or ridicule.
- 10.2 If, in the opinion of the Chairman, a member has broken the provision of item (10.1) of this Order, the Chairman shall express the 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.
- 10.3 If either of the motions mentioned in item (10.2) is disobeyed, the Chairman may suspend the meeting or take such further steps as may be reasonably necessary to enforce them.

## **11 VOTING ON APPOINTMENTS**

- 11.1 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.

## **12 DISCUSSIONS AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL**

- 12.1 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) has decided whether or not the public shall be excluded (*See Standing Order 21.*)

## **13 EXPENDITURE**

- 13.1 Orders for the payment of money shall be authorised by a proposal at a Meeting and signed by two Councillors.

## **14 DONATIONS**

14.1 Requests for donations received during the year shall be put aside until the September meeting when a decision will be taken on which to support. A provision will be made in the annual estimate for donations. The maximum will be as currently defined under Section 137 of the LGA 1972.

## **15 ACCOUNTS AND FINANCIAL STATEMENT**

15.1 As laid down in the Financial Regulations or:-

- i. Except as provided in item (15.1.ii) of this Standing Order or by statute, all accounts for payment and claims upon the Council shall be laid before the Council.
- ii. Where it is necessary to make a payment before it has been authorised by the Council. Such payment shall be certified as to its correctness, and urgency by the appropriate officer. Such payment shall be authorised by the Chairman or Vice-Chairman of the Council.
- iii. All payments ratified shall be separately included in the next schedule of payments laid before the Council.
- iv. The Clerk shall supply to each member at the Annual meeting in May a statement of receipts and payments.

## **16 ESTIMATES**

16.1 The Council shall approve written estimates for the coming financial year.

## **17 INTERESTS**

17.1 If any member has any pecuniary interest, direct or indirect, within the meaning of section 94-95 of the Local Government Act, 1972, in any contract, proposed contract or other matter, he/she shall while it is under consideration by the Council, withdraw from the meeting unless the interest is trivial in the manner described in section 97(b) or:-

- i. The disability imposed upon him/her by those sections has been removed by the District Council; or
- ii. The Council invite him to remain; or
- iii. The Council has adopted the revised Code of Conduct including Para 12 (2) which enables Councillors with a prejudicial interest to speak about the matter during the Public Participation period.

17.2 The Clerk shall record in the minutes particulars of any notice given by any member or any officer of the Council of a pecuniary interest in a contract, and the minute book shall be open during reasonable hours of the day for the inspection of any member.

17.3 If any member has a non-pecuniary interest within the ambit of the National Code of Local Government Conduct he/she shall, having declared it, be invited to withdraw from the meeting.

17.4 If a candidate for any appointment under the Council is to his knowledge related to any member or holder of any office under the Council, he/she and the person to whom he/she 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 any such disclosure.

17.5 The Clerk shall make known the purport of this Standing Order to every candidate.

## **18 CANVASSING OF AND RECOMMENDATIONS BY MEMBERS**

18.1 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 subparagraph to every candidate

18.2 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 for submission to the Council with an application for appointment.

## **19 INSPECTION OF DOCUMENTS**

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

19.2 All Minutes kept by the Council shall be open for the inspection of any member of the Council.

## **20 AUTHORISED ACTIVITIES**

20.1 No member of the Council shall in the name of or on behalf of the Council

- i. Inspect any lands or premises which the Council has a right or duty to inspect; or
- ii. Unless authorised to do so by the Council.

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

21.1 The public shall be admitted to all meetings of the Council, which may, however, temporarily exclude the public by means of the following resolution, viz:

21.1.1 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.”

21.1.2 *(Notes: The special reasons should be stated. A circular issued by the National Association deals with the situations where it is likely to be desirable to exclude the public. If a person's advice or assistance is needed they may be invited (by name) to remain after the exclusion*

*resolution is passed.)*

- 21.2 The Clerk shall afford the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present.
- 21.3 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 Council Chamber.
- 21.4 A maximum of twenty minutes will be the time set aside to receive statements from the public, and the maximum time any one member of the public shall have to deliver their statement will be at the discretion of the Chair.
- 21.5 A member of the public may be allowed to speak at any time during a Meeting, with the express permission of the Chair.

## **22 TRANSPARENCY AND PUBLICATION**

- 22.1 The Council shall publish information generally in accordance with the Transparency Code for Smaller Authorities issued by the Department for Communities and Local Government, December 2014.

## **23 CONFIDENTIAL BUSINESS**

- 23.1 No member of the Council shall disclose to any person not a member of the Council any business declared to be confidential by the Council, as the case may be.
- 23.2 Any member in breach of the provision of item (23.1) of this Standing Order shall be removed by the Council.

## **24 LIAISON WITH DISTRICT AND COUNTY COUNCILLORS**

- 24.1 A notice of meeting shall be sent together with an invitation to attend to District Councillors and County Councillors for the ward.

## **25 PLANNING APPLICATIONS**

- 25.1 The Clerk shall, as soon as they are received, forward planning applications to all Councillors and, where possible, all planning applications will be considered at a full council meeting.
- 25.2 The Chair will, if there are likely to be objections on Material Planning grounds, call a site or special meeting to review the application. Any councillor may similarly request a meeting.
- 25.3 The Clerk shall ensure all applications and outstanding issues are discussed at the next council meeting, when time constraints allow, and immediately inform Breckland Council of all decisions of the Council regarding applications.
- 25.2 When time constraints do allow for applications to be discussed at the next council meeting, the Clerk will provide details to Councillors and, where no queries arise by joint decision of all Councillors, the Clerk is delegated to inform the Planning Department, within the time allocated,

of the decision of the Council. All Councillors must report directly back to the Clerk thereby avoiding discussion between members. Where queries arise the Chairman can call for a site meeting and, in addition, the Clerk will call an Extra-ordinary meeting to decide upon the application. This procedure adheres strictly to legal procedures set by NALC.

## **26 STANDING ORDER ON CONTRACTS**

- 26.1 Where it is intended to enter into a contract exceeding £1,000 but not exceeding £10,000 in value for the supply of goods or materials or for the execution of works. The Clerk shall give at least three weeks public notice of such intention, in the same manner as public notice of meetings of the Council is given. Where the value of the intended contract exceeds £10,000, similar notice shall be given in addition to all firms, included in the appropriate standing approval list of contractors maintained by the District Council. If no such list is maintained, then in such newspapers circulating in the district as the Council shall direct.
- 26.2 Notice of a contract exceeding £10,000 shall state the general nature of the intended contract and state the name and address of the person to whom the tenders are to be addressed and the last date by which those tenders should reach that person in the ordinary course of post.
- 26.3 Tenders shall be opened by the Clerk, or person, to whom tenders are required to be addressed.
- 26.4 The Council is not bound to accept the lowest tender.
- 26.5 If no tenders are received or if all tenders are identical the Council may make such arrangements for procuring the goods or materials or executing the work as it thinks fit.

## **27 CODE OF CONDUCT ON COMPLAINTS**

- 27.1 The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or member in the manner recommended by the National Association of Local Councils.

## **28 VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS**

- 28.1 Any or every part of the Standing Orders, may be suspended by resolution in relation to any specific item of business.
- 28.2 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.

## **29 STANDING ORDERS FOR MEMBERS**

- 29.1 A copy of these Standing Orders shall be given to any member by the Clerk, if requested, and the Clerk will bring to meetings his/her copy of the Standing Orders.
- 29.2 If requested by the Chairman, the Standing Orders can be reviewed at

the Annual meeting, held in May, annually, and any necessary alterations made and a resolution passed to adopt the revised version.