

LANDKEY PARISH COUNCIL

STANDING ORDERS

Re-adopted 6 November 2024

MEETINGS OF THE COUNCIL

1. Meetings of the Council shall be held at the Old School Centre, Landkey or such other place as may from time to time be determined by the council.
2. The Annual Parish Meeting will be held on the first Wednesday of April or May at 7 pm and will precede the monthly parish council meeting.
3. The Annual Meeting of the council shall be held on the first Wednesday in May.
4. In addition to the Annual Meeting of the Council, and any meetings convened by the Chairman or by members of the Council, meetings for the transaction of general business shall be held at 7.00 pm on the first Wednesday of each month, except August (when there will be no meeting).
5. When a meeting of the Council has been continued until 9.30 in the evening and its business remains unfinished any unfinished business shall be postponed until the next meeting unless a majority of members present and voting shall determine to continue the meeting or adjourn it to some other day.

CHAIRMAN OF MEETING

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

PROPER OFFICER

7. 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 of disclosing interests.
- (c) To Grant Disclosable Pecuniary Interest (DPI's) Dispensations (Section 33 Localism Act 2011)
- (d) To receive and retain plans and documents.
- (e) To sign notices or other documents on behalf of the Council.
- (f) To receive copies of bye-laws made by the District Council.
- (g) To sign summonses to attend meetings of the Council.

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

QUORUM

8. Three members shall constitute a quorum, but a motion to suspend standing orders shall not be moved without written notice signed by twice as many members as constitute a quorum.
9. If a quorum is not present when the Council meets, or if during a meeting the number of Councillors present falls below the quorum, the business not transacted at that meeting shall be transacted at the next meeting or on such other day as the Chairman may fix.

VOTING

10. Members shall vote by show of hands, or, if at least two members so request, by signed ballot.
11. If a member so requires, the Clerk shall record the names of the members when voted on any question so as to show whether they voted for or against it.
12. (a) Subject to (b) and (c) below the Chairman may give an original vote on any matter put to the vote.
- (b) Subject to (c) below the Chairman may not give an original vote in the election of the Chairman on any occasion when he will himself immediately after such an election retire from the Council.
- (c) In any case of an equality of votes, the Chairman may have a casting vote.

ORDER OF BUSINESS

13. At each Annual Meeting the first business shall be:
- (a) To elect a Chairman.
 - (b) To receive the Chairman's declaration of acceptance of office or, if not then received, to decide when it shall be received.
 - (c) To elect a Vice-Chairman.
 - (d) To appoint statutory or standing committees/sub committees.
 - (e) To inspect any deeds and trust instruments in the custody of the Council, and shall thereafter follow the order set in Standing Order 15.
14. At every meeting other than the Annual Meeting the first business shall be to appoint a Chairman, if the Chairman and Vice-Chairman are absent
15. After the first business has been completed, the order of the business, unless the Council otherwise decides on the grounds of urgency, shall be as follows:
- (a) To approve as a correct record the minutes of the previous meeting.
 - (b) To receive declarations on Interest (if any)
 - (c) (i) To hear representations from parishioners (and members of the "public" – see (ii) below) and for the Chairman and/or Clerk to answer questions from parishioners providing that this business shall not continue more than 15 minutes, unless a majority of members present and voting shall determine otherwise.
 - (ii) Members of the "public" can speak at the discretion of the Chairman.
 - (d) To hear a report from the County Councillor representative, if present, or receive a written report if provided, providing that this business shall not continue more than ten minutes, unless a majority of members present and voting shall determine otherwise.
 - (e) To hear a report from the District Councillor representative, if present, or receive a written report if provided, providing that this business shall not continue more than ten minutes, unless a majority of members present and voting shall determine otherwise.

- (i) To answer questions.
- (j) To dispose of business, if any, remaining from last meeting.
- (k) To receive and consider reports and minutes of committees and advisory committees.
- (l) To receive and consider reports from officers of the Council.
- (n) To authorise the signing of orders for payment.
- (o) To consider motions or recommendations in the order in which they have been notified.
- (p) Any other business specified in the summons.

16. A motion to vary the order of business on the grounds 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.

RESOLUTIONS MOVED ON NOTICE

17. 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 or Chairman at least 24 hours before the next meeting of the Council.

18. Every resolution or recommendation shall be relevant to some question over which the Council has power or which affects its area.

RESOLUTIONS MOVED WITHOUT NOTICE

19. 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 the 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 member thereof.
- (i) To adopt a report.
- (j) To authorise the sealing of documents.
- (k) To amend a motion.
- (l) To give leave to withdraw a motion or an amendment.
- (m) To extend the time limit for speeches.
- (n) To consider otherwise than in committee a question affecting an employee.
- (o) The following resolutions are governed by the Standing Orders on the admission of the public to meetings.
 - (i) To exclude the Press.
 - (ii) To exclude the public.
- (p) The next resolution is governed by the Standing Order on Disorderly Conduct.
 - (i) To silence or eject from the meeting a member named for misconduct.
- (q) The next resolution is governed by the Standing Orders on members interested in contracts and other matters.
 - (i) To invite a member having an interest in the subject matter under debate to remain (subject to code of conduct implications).
- (r) To give consent of the Council where such consent is required by the Standing Orders.

QUESTIONS

20. A member may ask the Chairman any question concerning the business of the Council.
21. A member with or without notice may ask the Chairman of a Committee/Sub Committee any question upon the proceedings of the Committee then before the Council if the question is put before the Council's consideration of those proceedings is finished.
22. Every question shall be put and answered without discussion.
23. A person to whom a question has been put may decline to answer.

RULES OF DEBATE

24. 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.
25. (a) A resolution or amendment shall not be discussed unless it has been proposed and seconded, and unless proper notice has been given. It shall, if required by the Chairman, be reduced to writing and handed to him/her before it is further discussed or put to the Meeting.
- (b) A member when seconding a resolution or amendment may, if he then declares his intention to do so, reserve his/her speech until a later period of the debate.
- (c) A member shall direct his speech to the question under discussion or to a personal explanation or to a question of order.
- (d) No speech shall exceed five minutes, except by consent of the Council.
- (e) An amendment shall be either:
 - i. To leave out words.
 - ii. To leave out words and insert or add others.
 - iii. To insert or add words.
- (f) An amendment shall not have the effect of negating the motion before the Council.
- (g) 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 removed.
- (h) A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
- (i) The mover of a resolution or of an amendment shall have a right to reply.
- (j) A member, other than the mover of a re-resolution, shall not, without leave of the Council, speak more than once on any resolution except to move an amendment, or to an amendment, or a point of order, or in personal explanation, or to move the closure.
- (k) 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/her, which may have been misunderstood. A member rising for these purposes shall be heard forthwith.
- (l) A motion or amendment may be withdrawn by the proposer with the unanimous consent of the 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.
- (m) When a resolution is under debate no other resolution shall be moved except the following:
 - i. To amend the resolution.

- ii. To proceed to the next business.
- iii. To adjourn the debate.
- iv. That the question be now put.
- v. That a member named be not further heard.
- vi. That a member named do leave the meeting.
- vii. That the resolution be referred to a committee.
- viii. To exclude the public or press or both.
- ix. To adjourn the meeting.

26. (a) The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed.
- (b) Members shall address the Chairman.
- (c) If two or more members rise, the Chairman shall call upon one of them to speak and the others to resume their seats.
- (d) Whenever the Chairman rises during a debate all other members shall be seated and silent.
- (e) Third parties should only speak with the permission of the Council.

CLOSURE

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

DISORDERLY CONDUCT

28. (a) No member shall misconduct himself/herself at a meeting by persistently disregarding the ruling of the Chairman, 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.
- (b) If, in the opinion of the Chairman, a member has so misconducted himself the Chairman shall express that opinion to the Council and thereafter any member may move that the member named be no longer heard or that member named meeting do leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
- (c) If either of the motions mentioned in paragraph (b) is disobeyed, the Chairman may suspend the meeting or take such further steps as may reasonably be necessary to enforce them.

RIGHT OF REPLY

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

ALTERATION OF RESOLUTION

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

REVERSAL OF PREVIOUS RESOLUTION

31. (a) A decision (whether affirmative or negative) of the Council shall not be reversed within six months save by special resolution, the written notice whereof bears the names of at least six members of the Council.
- (b) When a special resolution has been disposed of no similar resolution may be moved within a further six months.
- (c) This Standing Order shall not apply to resolutions moved in pursuance of the report or recommendation of a committee.

VOTING ON APPOINTMENTS

32. 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 a clear 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.

DISCUSSIONS AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL

33. 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 should be excluded. (See Standing Order No.62)

EXPENDITURE

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

SEALING OF DOCUMENTS

35. (a) A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution.
- (b) Any two members of the Council may seal, on behalf of the Council, any document required by law to be issued under seal.

COMMITTEES AND SUB-COMMITTEES

36. The Council may at the Annual Meeting appoint standing committees and may at any other time appoint such committees as are necessary but subject to any statutory provision in that behalf:
- (a) shall not appoint any member so as to hold office later than the next Annual Meeting and
- (b) may at any time dissolve or alter the membership of a committee.
37. 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.

38. The Chairman of a committee or the Chairman of the Council may summon a special meeting of that committee/sub-committee at any time. A special meeting shall be 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.

39. Except where ordered by the Council in the case of a committee, the quorum of a committee shall be one half of its members.

40. The Standing Orders on rules of debate (except those parts relating to standing and to speaking more than once) and the Standing Order on interests of members in contracts and other matters shall apply to committee members insofar as they are appropriate.

VOTING IN COMMITTEE

41. Members of committees shall vote by show of hands.

42. Chairmen of committees shall have a second or casting vote.

PRESENCE OF NON-MEMBERS OF COMMITTEES AT COMMITTEE MEETINGS

43. A member who has proposed a motion, which has been referred to any committee, of which he/she is not a member, may explain his motion to the committee but shall not vote.

44. Any Council member shall, unless the Council otherwise orders, be entitled to be present as a spectator at the meetings of any committee of which he is not a member and to speak if authorised by the Chairman.

ACCOUNTS AND FINANCIAL STATEMENTS

45. (a) Except as provided in paragraph (b) of this Standing Order or by statute all accounts for payment and claims upon the Council shall be laid before the Council.

(b) 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. Unless it has been authorised by the Council, payment shall be authorised the committee, if any, having charge of the business to which it relates or by the Committee or Vice-Chairman of the Council.

(c) All payments authorised under sub-paragraph (b) of this Standing Order or made without authority of the Council shall be separately included in the next schedule of payment laid before the Council.

46. The Clerk shall supply to each member at the ordinary meeting next after the end of Financial Year a statement of receipts and payments.

MEMBERS CODE OF CONDUCT

47. A member (Landkey Parish Councillor including co-opted members) must observe Landkey Parish Council's (LPC) Code of Conduct that has been drawn up in accordance with The Localism Act 2011 (Section 27 etc.) whenever he/she conducts the business of the Authority (LPC), conducts the business of the office to which he/she has been elected or

appointed, or acts as a representative of the Authority and references to a member's official capacity shall be construed accordingly.

RECORD KEEPING

48 (a) The Clerk shall record, in the Minutes of each meeting, particulars of any notice given by any member or any officer of the Council of any interest (as set out in LPC's Code of Conduct) and the records shall be open during reasonable hours of the day for the inspection of any member.

(b) The Clerk will also retain a copy of each members "Register of Financial and Other Interest" forms and make them available for inspection as at (a) above.

INTERESTS – PARISHIONER

49 If any parishioner has any pecuniary interest, direct or indirect, similar to that described for members (as above) in any contract, proposed contract or any matter he/she shall not take part in the business defined in Standing Orders No. 15 (c) (i.e. the making of representations and asking questions).

INSPECTION OF DOCUMENTS

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

51. (a) All Minutes kept by the Council and any committee shall be open for the inspection of any member of the Council.

(b) The minutes of the Council shall be open to inspection by any local government elector of the parish without charge.

UNAUTHORISED ACTIVITIES

52. No members of the Council shall in the name of or on behalf of the Council

(a) Inspect any lands or premises which the Council has a right or duty to inspect or

(b) Issue orders unless authorised to do so by the Council or the relevant committee.

ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

53. The public and the press shall be admitted to all meetings of the full Council which may, however, temporarily exclude the public or the press or both by means of the following resolution, viz: "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/public be temporarily excluded and they are instructed to withdraw."

54. The Clerk shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present.

55. If a member of the public interrupts the proceedings of any meeting, the Chairman may, after warning, order that he/she be removed from the Council Chamber or that part of the Chamber open to the public be cleared.

CONFIDENTIAL BUSINESS

56. No member of the Council or any committee shall disclose to any person not a member of the Council any business declared to be confidential by the Council or the committee as the case may be.

LIAISON WITH COUNTY AND DISTRICT COUNCILLOR

57. A notice of meeting shall be sent together with an invitation to attend to the County Councillor for the Division and to the District Councillor for the ward.

58. Unless the Council orders otherwise, a copy of each letter ordered to be sent to the County or District Council shall be transmitted to the County Councillor for the Division or to the District Councillor for the ward as the case may require.

PLANNING APPLICATIONS

59. (a) Planning Applications up to 3 number development units shall be delegated to the Planning Sub Committee to respond and send comments directly to the Planning Authority. Strategic and large (over 3 development units) are to be considered and resolved by full Council. The Sub Committee shall consist of a maximum 6 members of the Parish Council, shall elect its own Chairman and shall have a quorum of 3 of its members

(b) The decision of the Planning Sub Committee and Council shall be recorded.

CONTRACTS AND INVITATION FOR TENDERS

60.(a) Notices shall be displayed in the same manner as public notices of meetings of the Council and in such newspapers as the Council shall direct.

(b) The notice shall state the general nature of the intended contract and shall in addition state the name and address of the person to whom tenders are to be addressed and the last date by which those tenders should reach that person in the ordinary course of post.

(c) If no tenders are received or if all the tenders are identical the Council may make such arrangements for procuring the goods or materials or executing the works as it thinks fit.

VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

61. Any part of the Standing Orders except *in italics* may be suspended by resolution in relation to any specific item of business. A motion permanently to vary or revoke a Standing Order shall when proposed and seconded, stand adjourned to the next ordinary meeting of the Council.

STANDING ORDERS TO BE GIVEN TO MEMBERS

62. (a) A copy of these Standing Orders shall be given to each member by the Clerk upon delivery to him/her of the Member's declaration of acceptance of office.

(b) The Standing Orders should be reviewed in the second year of each Council's four-year term of office.

Signed: - (Chairman)

Signed: - (Clerk) Dated: -

Date of next Review: - May 2026