



ALTHAM PARISH COUNCIL **STANDING ORDERS**

1. MEETINGS

1.1 Meetings of the council shall be:

1.1.1. Held at Altham Parish Council Offices, Media House, Burnley Road, Altham, unless the council otherwise decides to change the venue or the venue proves to be unavailable or the venue is too small to accommodate numbers of the general public.

1.1.2. Meetings will begin at 7pm unless the council otherwise decides and it will be published accordingly.

1.1.3. The meeting date will be on a six weekly cycle on an evening during the week which will be set by the Council and it will be published accordingly.

1.2 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.

1.3. In addition, the Council must hold at least four further council meetings within the year.

2. CHAIRPERSON OF MEETING

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

3. PROPER OFFICER

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

3.1.1 To receive declarations of acceptance of office

3.1.2 To receive and record notices disclosing pecuniary interests

3.1.3 To receive and retain plans and documents

3.1.4 To sign notices and other documents on behalf of the Council

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

3.1.6 To certify copies of bye-laws made by Council

3.1.7 To sign summonses to attend meetings of the Council

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

4. QUORUM

4.1. Three members shall constitute a quorum.

4.2. 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 Chairperson may fix.

5. VOTING

5.1. A motion may be carried without vote if no objections are raised following its proposal. If a vote is required, members shall vote by show of hands.

5.2. The precept figure will be proposed, seconded and voted on by every member present at the meeting.

5.3. If a member so requires and requests at the time, the Clerk shall record the names of the members who vote on any question so as to show whether they voted for or against it, except in the case of a signed or paper ballot.

5.4 Subject to (5.5) and (5.6) below the Chairperson may/or may not 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 may not have given an original vote.

5.5. 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 Chairperson and Vice-Chairperson until the end of their term in office they may not give an original vote in an election for Chairperson.

5.6. The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairperson.

6. ORDER OF BUSINESS

(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.)

6.1 At each Annual Meeting the first business shall be:

1. To elect a Chairperson

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

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

4. To elect a Vice-Chairperson
5. To appoint committees and representatives.

And shall thereafter follow the order set out in Standing Order 6.4

6.2 At every other meeting the first business, if the Chairperson and Vice-Chairperson be absent, will be to appoint a Chairperson and receive such declarations of acceptance of office (if any) required by law to be made, or if not then received to decided when they shall be received.

6.3. Each year, not later than the meeting at which the precept for the next year is agreed, the Council shall review the pay and conditions of service of existing employees (See standing order 11 below).

6.4. 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:

1. To receive and approve apologies from members unable to attend. Review attendance of members in accordance with clause 7.1.17.
2. To declare any personal or prejudicial interests in any of the items listed on the agenda, or declare your interest at any point in the meeting if an item is introduced or referred to.
3. To read and consider the minutes; of which a copy must be circulated to each member along with a summons to attend the next meeting no later than 14 days prior to the meeting. It is expected that members will have read the minutes prior to the meeting.
4. **After consideration, to approve the signing of the Minutes as a correct record by the person presiding.**
5. **To deal with business expressly required by statute to be done.**
6. To dispose of business, if any, remaining from the last meeting.
7. To receive such communications as the person presiding may wish to lay before the Council.
8. To receive questions/queries from the public (see also 22.4 below)
9. To receive and consider reports and minutes of committees
10. To receive and consider reports from officers of the Council
11. To authorise the signing of orders for payment
12. To consider resolutions or recommendations in the order in which they have been notified
13. Any other business specified in the summons.

6.5 A motion to vary the order of business on the grounds of urgency

1. May be proposed by the Chairperson or by any member and, if proposed by the Chairperson, may be put to the vote without being seconded, and
2. Shall be put to the vote without discussion.

7. RESOLUTIONS WITHOUT NOTICE

7.1 Resolutions dealing with the following matters may be moved without notice.

1. To appoint a Chairperson of the meeting
2. To correct Minutes
3. To approve the Minutes
4. To alter the order of business
5. To proceed to the next business

6. To close or adjourn the debate
7. To refer the matter to a committee
8. To appoint a committee or any members thereof
9. To adopt a report
10. To amend a resolution
11. To give leave to withdraw a resolution or an amendment
12. To exclude the public (see standing order 22.1 .below)
13. To silence or eject from the meeting a member named for misconduct. (see Standing Order 9 below)
14. To invite a member having an interest in the subject matter under a debate to remain (see standing order 18.1 below)
15. To give the consent of the Council where such a consent is required by these Standing Orders
16. To suspend any Standing Order (see standing order 28.2. below)
17. To invoke disqualification of a member of the Council for non-attendance or, not sending apologies or, sending unacceptable apologies for non-attendance of any meeting of the Council over a period of 6 consecutive months from the date of their last attendance.

8. CORRECTIONS TO MINUTES

8.1. No discussion shall take place upon the Minutes except their accuracy. Corrections to the Minutes shall be made by resolution and must be initialed by the Chairperson.

9. DISORDERLY CONDUCT

9.1 No member shall at a meeting persistently disregard the ruling of the Chairperson, willfully obstruct business, or behave irregularly, offensively, improperly or in such a manner as to scandalise the Council or bring it into contempt or ridicule.

9.2. If, in the opinion of any member that a fellow member has broken the provision of item (9.1) of this Order, the member shall explain 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.

9.3. If either of the motions mentioned in item (9.2) is disobeyed, the Chairperson may suspend the meeting or take such further steps as may be reasonably necessary to enforce them.

10. VOTING ON APPOINTMENTS

10.1. 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.

11. DISCUSSIONS AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL

11.1. 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 22.1)

12. EXPENDITURE

12.1. Orders for the payment of money shall be authorised by resolution of the Council and follow the guidelines of the Financial Regulations.

13. COMMITTEES AND SUB-COMMITTEES

13.1. The Council may at the Annual Meeting appoint standing committees and at any other time appoint such other committees as are necessary, but subject to any statutory provision in that behalf:

13.1.1. May at any time dissolve or alter the membership of the committee.

13.1.2. The Chairperson and Vice-Chairperson can be members of every sub-committee unless they decline.

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

13.1.4. The Chairperson of a committee or the Chairperson 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 no 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.

13.1.5. A quorum for a full council meeting will consist of three members and for a sub-committee two members.

13.1.6. In the case of the Environmental Committee the membership will be the Chairperson and Vice-Chairperson of the Council and one member of the council and any additional co-opted members. The quorum will be two members but when decisions are taken one has to be either the Chairperson or Vice-Chairperson of the Council and one other member of the Council.

14. VOTING IN COMMITTEES

14.1. Members of committees and sub-committees shall vote as per clause 5.1 above

14.2. Chairperson's of committees and sub-committees shall in the case of an equality of votes have a second or casting vote.

15. PRESENCE OF NON-MEMBERS OF COMMITTEES AT COMMITTEE MEETINGS

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

15.2 None council members will not have a vote at committee.

16. ACCOUNTS AND FINANCIAL STATEMENT

16.1. As laid down in the Financial Regulations or

16.1.1. Except as provided in item (16.1.2) of this Standing Order or by statute, all accounts for payment and claims upon the Council shall be laid before the Council.

16.1.2. 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 committee, if any, having charge of the business to, which it relates, or by the Chairperson, or Vice-Chairperson of the Council.

16.1.3 as an exception to 16.1.2. The Chairperson and Parish Clerk have the authority to spend up to £500 excluding vat for the day to day running of the council without prior approval of the full council

16.1.4. All payments ratified under item (16.1.2) of this Standing Order shall be separately included in the next schedule of payments laid before the Council.

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

17. ESTIMATES

17.1. The Council shall approve written estimates for the coming financial year as directed in section 2 of the Financial Regulations.

17.2. Any committee desiring to incur expenditure shall give to the Clerk a written estimate of the expenditure recommended for the coming year prior to the meeting which will be considering the precept figure for the following year.

18. INTERESTS

18.1 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, they 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:

18.1.1. The disability imposed upon them by those sections has been removed by the District Council; or

18.1.2. The Council invite him to remain; or

18.1.3. The contract, proposed contract or other matter is under consideration as part of the report of a committee and is not itself the subject of debate.

18.2. The Clerk shall record in the minutes kept for the purpose, particulars of any notice given by any member or any officer of the Council of a pecuniary interest in a contract, and the minutes shall be available during reasonable hours of the day for the inspection of any member.

18.2.3. If any member has a non-pecuniary interest within the ambit of the National Code of Local Government Conduct they shall not, having declared it, be invited to withdraw from the meeting.

18.2.4. If a candidate for any appointment under the Council is to their knowledge related to any member of or holder of any office under the Council, they and the person to whom they are 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 or to the appropriate committee any such disclosure. Where relationship to a member is disclosed Standing Order 18.2 shall apply.

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

19. CANVASSING OF AND RECOMMENDATIONS BY MEMBERS

19.1 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 sub-paragraph to every candidate.

19.2 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.

19.3 Standing Order Nos: 18.2.4, 19.1 and 19.2 shall apply to tenders as if the person making the tender were a candidate for an appointment.

20. INSPECTION OF DOCUMENTS

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

20.2 All Minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council.

21. UNAUTHORISED ACTIVITIES

21.1. No member of the Council or of any committee or sub-committee shall in the name of or on behalf of the Council

21.1.1. Inspect any lands or premises which the Council has a right or duty to inspect; or

21.1.2. Unless authorised to do so by the Council or the relevant committee or sub-committee.

22. ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

22.1. The public shall be admitted to all meetings of the Council and its committees and sub-committee, which may, however, temporarily exclude the public 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 public be temporarily excluded and they are instructed to withdraw”.

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

22.3 If a member of the public interrupts the proceedings at any meeting, the Chairperson may, after warning, order that they be removed from the Council Chamber.

22.4 Fifteen minutes will be the time set aside to receive statements from the public, and any one member of the public shall have three minutes to deliver their statement. Councillors will refrain from speaking in the public participation section.

22.5 Charges for Public Information documents will be made to cover the cost of administration

and postage sent either electronically or by Royal Mail, for any copies requested £10 up to 5 pages and £15 thereafter.

23. CONFIDENTIAL BUSINESS

23.1 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.

23.2 Any member in breach of the provision of item (23.1) of this Standing Order shall be removed from the committee or sub-committee of the Council by the Council.

24. LIAISON WITH DISTRICT COUNCILLORS

24.1. In the event that we require the attendance of a District Councillor, a notice of the meeting shall be sent together with an invitation for them to attend.

25. PLANNING APPLICATIONS

25.1. The Clerk, when notified of relevant planning applications prepare notice and send to all councillors and include on the next agenda for consideration.

26. STANDING ORDER ON CONTRACTS

26.1. Where it is intended to enter into a contract exceeding £3,500 excluding vat 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.

26.2. Notice of a contract exceeding £3,500 excluding vat 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. On the date specified pursuant to item (26.2) of this Order and shall be reported by the person who opened them to the Council or, where tenders have been sought by a committee or sub-committee to that committee or sub-committee.

26.4. Neither the Council nor any committee or sub-committee is 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.

26.6. A notice issued under this Standing Order shall contain a statement of the effect of Standing Order 18.4, 19.1, 19.2 and 19.3.

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, except those printed in bold type, 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 TO BE GIVEN TO MEMBERS

29.1. A copy of these Standing Orders shall be given to each member by the Clerk, upon delivery to them of the member's declaration of acceptance of office.

Reviewed and updated May 2021.