



SOUTHMINSTER PARISH COUNCIL

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STANDING ORDERS

Please note that those clauses shown in bold print are required by statute and may not be suspended, varied or revoked.

1) MEETINGS

- a) Meetings of the Council shall be held on the third Monday of every month, commencing at 7pm, unless the Council decides otherwise.
- b) Should the business of the meeting not be concluded by 9.15pm, items remaining shall be prioritised or deferred to the next meeting to enable the meeting to conclude no later than 9.30pm.
- c) There shall be fifteen minutes available during each meeting for Public Forum, during which the Chairman may allow any members of the public to address the meeting in relation to the business to be transacted. Such sessions form part of the Council meeting in law and shall be duly minuted.

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 elected councillors take office; and,**
- b) **In a year which is not an election year the Annual Parish Council Meeting shall be held on such day in May as the Council may direct.**

3) **In addition to the Statutory Annual Parish Council Meeting at least three other statutory meetings shall be held in each year on such dates and times and at such place as the Council may direct.**

4) **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.

5) PROPER OFFICER

a) The Proper Officer of the Council shall be the Clerk to the Council in all cases where a statute, regulation or order confers functions or duties on the proper officer of the Council. Such matters shall include:

- To receive declarations of acceptance of office.
- To receive and record notices disclosing interests at meetings.
- To receive and retain plans and documents.
- To sign notices or other documents on behalf of the Council.
- To receive copies of bylaws made by another local authority.
- To certify copies of bylaws made by the Council.
- To sign and issue the summons to attend meetings of the Council.
- To keep proper records for all Council meetings.

b) EMERGENCY POWER

The Clerk may incur expenditure on behalf of the Council, only in accordance with the provisions of the Financial Regulations as adopted.

6) 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.

7) If a quorum is not present within fifteen minutes of the scheduled commencement time 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.

8) VOTING

Members shall vote by show of hands.

9) RECORDED VOTE

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.

10) CHAIRMAN'S CASTING VOTE

a) **Subject to (b) and (c) 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.**

b) **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.**

c) **The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.**

d) 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 or, if not then received, to decide when it shall be received**
 - 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
 - h) To consider the payment of any annual subscriptions falling due for payment
 - i) To inspect any deeds and trust investments in the custody of the Council as required
- and shall thereafter follow the order set out in the Standing Order 14.

11) 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 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.

12) In every year, at the budget setting meeting, the Council shall review the pay and conditions of service of existing employees.

13) After the first business has been completed, the order of business, unless the Council otherwise decides, shall be:

- a) To consider the minutes of the previous meeting.
- b) **After consideration, to approve the signature of the minutes as a correct record.**
- c) **To deal with business expressly required by statute to be done.**
- d) To dispose of any business remaining from the previous meeting.
- e) To receive such communications as the person presiding may wish to lay before the Council.
- f) To answer questions from Councillors.
- g) To receive and consider reports and minutes of committees.

- h) To receive and consider resolutions or recommendations in the order in which they have been notified
- i) To authorise the sealing of documents.
- j) To authorise the signing of orders for payment.

14) URGENT BUSINESS

A motion to vary the order of business on the ground of urgency may be proposed by the Chairman or by any member and shall be put to a vote without discussion.

15) MOTIONS MOVED ON NOTICE

Except as provided elsewhere by these Standing Orders, no motion 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 seven clear days before the meeting of the Council.

- 16) The Clerk shall date every notice of motion or recommendation when received; shall number each notice in the order in which it was received; and, shall enter it in a book which shall be open to the inspection of every member of the Council.
- 17) The Clerk shall insert in the summons for every meeting all notices of motion or recommendation properly given in the order in which they have been received unless the member giving a notice of motion has stated in writing that they intend to move at some later meeting or withdraw it.
- 18) If a motion 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.
- 19) If the subject matter of a motion comes within the province of a committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to such committee as the Council may determine for report; provided that the Chairman, if it is considered to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.
- 20) Every motion or recommendation shall be relevant to some subject over which the Council has jurisdiction.

21) MOTIONS MOVED WITHOUT NOTICE

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

- a) To appoint a Chairman of the meeting.
- b) To amend 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 committee.
- h) To appoint a committee or any members 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 amendment.
- m) To extend the time limit for speeches.
- n) To exclude the press and public.
- o) To silence or eject from the meeting a member named for misconduct
- p) To give the consent of the Council where such consent is required by these Standing Orders.
- q) To suspend any Standing Order as may be allowed
- r) To adjourn the meeting

23) QUESTIONS

- a) A member may ask the Chairman of the Council or the Clerk any question concerning the business of the Council, provided notice of the question has been given prior to the meeting.
- b) Every question shall be put and answered without discussion.
- c) A person to whom a question has been put may decline to answer.

24) RULES OF DEBATE

- a) No discussion of the Minutes shall take place except upon their accuracy. Amendments to the Minutes shall be made by resolution.
- b) A motion or amendment shall not be discussed unless it has been proposed and seconded.
- c) A member when seconding a motion or amendment may, on declaring an intention to do so, reserve their speech until a later period of the debate.

- d) Members shall direct their 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 motion shall exceed three minutes and no other speech shall exceed three minutes, except by consent of the Council.
- f) Any amendment shall be:
 - i) To leave out words.
 - ii) To leave out words and insert others
 - iii) To insert or add words.
- g) An amendment shall not have the effect of negating the motion before the Council.
- h) If an amendment be carried, the motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.
- i) A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
- j) The mover of a motion or of an amendment shall have a right of reply, not exceeding three minutes.
- k) A member, other than the mover of a motion, shall not speak more than once on any motion except:
 - i) To move an amendment or further amendment; or,
 - ii) On an amendment; or,
 - iii) On a point of order; or,
 - iv) In personal explanation; or,
 - v) To move a closure.
- l) A member speaking on a point of order or in personal explanation shall be heard forthwith. A personal explanation shall be confined to some material part of a former speech by them which may have been misunderstood.
- m) A motion or amendment may be withdrawn by the proposer with the 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.

- n) When a motion is under debate no other motion shall be moved except:
- i) That the motion be amended.
 - ii) That the meeting proceed to the next business.
 - iii) That the debate be adjourned.
 - iv) That the question now be put.
 - v) That a member named be not further heard.
 - vi) That a member named do leave the meeting.
 - vii) That the motion be referred to committee.
 - viii) That the public and press be excluded.
 - ix) That the meeting be adjourned.
- o) A member shall remain seated when speaking unless requested to stand by the Chairman.
- p) The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed.
- q) Members shall address the Chairman. If two or more members wish to speak, the Chairman shall determine the order of speakers.
- r) CLOSURE
At the end of any speech a member may, without comment, move
- i) “that the question be now put”; or,
 - ii) “that the debate be now adjourned”; or,
 - iii) “that the 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 it is considered that the question before the Council has been sufficiently debated. If the motion “that the question be now put” is carried, the Chairman shall call upon the mover to exercise or waive his 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.

25) CONDUCT OF MEMBERS

- a) **All members must observe the Code of Conduct adopted by the council.**
- b) No member shall during any 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 contravened the provisions of clause 25(b), 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 the member named do leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
- d) Should any resolution made within the provisions of clause 25(c) be contravened, the Chairman may adjourn the meeting or take such further steps as may be reasonable to enforce them.

26) RIGHT OF REPLY

The mover of a motion shall have a right to reply immediately before the motion 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 any new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

27) AMENDMENT OF A MOTION

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

28) RESCINDING ANY PREVIOUS RESOLUTION

A resolution (whether affirmative or negative) of the Council shall not be rescinded within six months of the date of the meeting at which it was resolved.

29) 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.

30) DISCUSSIONS AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL

If at any 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 has decided whether or not the press and public shall be excluded.

31) EXPENDITURE

- a) **Orders for the payment of money shall be authorised by resolution of the Council and signed by two members.**
- b) Notwithstanding the provisions of clause 31(a) above, the Council shall maintain an imprest account for the payment of miscellaneous expenditure upon which the Clerk may draw for that purpose without a prior resolution provided that such transactions are reported to the Council as soon as practicable after the expenditure is incurred.

32) SEALING OF DOCUMENTS

- 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 named in a resolution moved under the provisions of this Standing Order may seal, on behalf of the Council, any document required by law to be issued under seal.

33) COMMITTEES

- a) The Council may at its Annual Meeting appoint standing committees and may at any other time appoint such other committees as are necessary but, subject to any statutory provision in that regard:
 - i) Shall not appoint any member of a committee so as to hold office later than the next Annual Meeting of the Council
 - ii) May appoint persons other than members of the Council to any committee; and,
 - iii) May, subject to the provisions of Standing Order 28 above, at any time dissolve or alter the membership of any committee.
- b) The Chairman and Vice-Chairman, ex-officio, shall be members of every committee.
- c) The Council shall, in exercising its power to appoint committees, ensure the provision of agreed Terms of Reference for each committee.

34) ACCOUNTS AND FINANCIAL STATEMENT

- a) Except as provided in clause 34(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. Such payment shall be authorised by the committee, if any, having charge of the business to which it relates, or by the proper officer for payment with the approval of the Chairman or Vice-Chairman of the Council.
- c) All payments ratified under clause 34(b) of this shall be separately included in the next schedule of payments before the Council.

- d) The Responsible Financial Officer shall supply to each member as soon as practicable after 31st March in each year a statement of the receipts and payments of the Council for the completed financial year. A Financial Statement prepared on the appropriate accounting basis for a year to 31st March shall be presented to each member before the end of the following month of May. The Statement of Accounts of the Council (which is subject to external audit) shall be presented to Council for formal approval before the end of the following month of September.

35) ESTIMATES & PRECEPTS

- a) The council shall approve written estimates for the coming financial year at its meeting before the end of the month of November.
- b) Any committee desiring to incur expenditure shall give the Clerk a written estimate of the expenditure recommended for the coming year no later than October of the previous year.

36) MEMBER INTEREST

If a member has a personal interest as defined by the Code of Conduct adopted by the Council then such interest shall be declared as soon as it becomes apparent that disclosure of the existence and nature of that interest is required.

- 37) At all meetings of the Council, the Chairman may permit members of council (including co-opted members as defined by s.49 (7) Local Government Act 2000) who have a prejudicial interest in relation to any item of business to be transacted at that meeting to:

- a) make representations
- b) answer questions
- c) give evidence relating to the business to be transacted.

Such sessions form part of the Council meeting in law and shall be duly minuted. The Code of Conduct which was adopted by the Council shall apply to members of the council in respect of the entire meeting.

- 38) Where members of the council exercise their rights under Standing Order 37, members of the public shall be allowed to attend the meeting to:

- a) make representations
- b) answer questions or
- c) give evidence relating to the business to be transacted.

- 39) If a candidate for any appointment under the Council is to his knowledge related to any member of or the holder of any office under the Council, he and the person to whom he is related shall disclose the relationship in writing to the Clerk. A candidate who fails so to do shall be disqualified for such appointment, and, if appointed, may be dismissed without notice. The Clerk shall report to the Council any such disclosure.

40) CANVASSING AND RECOMMENDATIONS BY MEMBERS

- a) Canvassing of members of the Council or of any committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment.
- b) A member of the Council or of any committee shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but, nevertheless, any such member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.

41) Standing Orders 40 and 41 shall apply to tenders as if the person making the tender were a candidate for an appointment.

42) INSPECTION OF DOCUMENTS

A member may for the purpose of exercising his duty (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.

43) All minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council.

44) UNAUTHORISED ACTIVITIES

No member of the Council or of any committee 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, instructions or directions,
- unless authorised to do so by the Council.

45) ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

The public and press shall be admitted to all meetings of the Council and its committees, which may, however, temporarily exclude the public and press by means of the following resolution:

“That in view of the [special] [confidential] nature of the business about to be transacted, it is considered advisable that the press and public be temporarily excluded and they are instructed to withdraw”

46) The Council shall state the special reason for any such exclusion.

47) 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. There shall be no audio or video recording or photographs of the meeting without the express approval of the Council.

48) Should any member of the public interrupt the proceedings of any meeting, the Chairman may, after warning, order that they be removed from the meeting and may adjourn the meeting for such period as is necessary to restore order.

49) 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, or any committee as the case may be.
- b) Any member in breach of the provisions of clause (a) of this Standing Order may be removed from any committee of the Council by the Council.

50) LIAISON WITH COUNTY AND DISTRICT COUNCILLORS

An agenda and minutes for each meeting shall be sent, together with an invitation to attend, to the County and District Councillors for the Parish.

51) FINANCIAL MATTERS

- a) The Council shall consider and approve Financial Regulations. Such Regulations shall include detailed arrangements for:
 - i) The accounting records and systems of internal control;
 - ii) The assessment and management of risks faced by the Council;
 - iii) The work of the Internal Auditor and the receipt of regular reports from the Internal Auditor which shall be required at least annually;
 - iv) The financial reporting requirements of members and local electors; and,
 - v) Procurement policies, including the setting of values for different procedures where the contract has an estimated value of less than £5,000.
- b) 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 clause 52(c) below.
- c) Any formal tender process shall comprise the following steps:
 - i) a public notice of intention to place a contract to be published in a local newspaper;
 - ii) a specification of the goods, materials, services and the execution of works shall be drawn up;
 - iii) tenders to be sent, in a sealed marked envelope, to the Clerk by a stated date and time;
 - iv) tenders submitted to be opened, after the stated closing date and time, by the Clerk and at least one member of Council;
 - v) tenders shall then be assessed and reported to the appropriate meeting of Council.

- d) The Council shall not be bound to accept the lowest or any tender, estimate or quote. Any tender notice shall contain a reference to the relevant Standing Orders regarding improper activity.
- e) The Financial Regulations of the Council shall be subject to regular review, at least once every four years.

52) DEALING WITH 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 (England) for consideration.

53) VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

Any or every part of these Standing Orders, except those printed in **bold type**, may be suspended by resolution in relation to any specific item of business.

- 54) A motion 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.

55) STANDING ORDERS TO BE GIVEN TO MEMBERS

A copy of these Standing Orders shall be given to each member by the Clerk upon delivery of the member's declaration of acceptance of office and written undertaking to observe the Code of Conduct adopted by the Council.

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3 rd March 2009	Adopted	pcm 08/188	
2 nd March 2010	Reviewed	audit 09/31	No revisions required
18 th March 2010	Reviewed	pcm 12/188	No revisions required
15 th February 2016	Reviewed	pcm 15/189	No revisions required
20 th March 2017	Revised	pcm 17/215	Revision made
20 th November 2017	Reviewed	pcm 17/146	No revisions required
26 th March 2019	Reviewed	pcm 19/072	Revision made
21 st September 2020	Reviewed	pcm 20/163	Revision made
15 th November 2021	Reviewed	pcm 21/190	Revision made.
29 th March 2023	Reviewed	pcm 23/087	No revisions made.
18 th December 2023	Reviewed	pcm 23/264	Revision made.
19 th February 2024	Reviewed	pcm 24/048	No revision made.