



STANDING ORDERS FOR ALL CANNINGS PARISH COUNCIL

Note: Clauses in bold are statutory requirements and may not be altered.

1. Meetings

- a) **When calculating the 3 clear days for notice of a meeting to Councillors and the Public, the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning shall not count.**
- b) Meetings shall take place in All Cannings Village Hall. If due to unavailability of the hall it is necessary to relocate the meeting, with the exception of an unavoidable emergency and Standing Order 1.h) below at least three weeks' notice of the alternative location shall be publicised and all Councillors, the representative Unitary Councillor and press shall be informed.
- c) If a copy of the notes of a preceding meeting has been circulated to Councillors no later than the day of the service of the summons to attend the scheduled meeting, they shall be taken as having been read.
- d) Any person speaking at a meeting shall address their comments to the Chairperson.
- e) All questions at a meeting shall be decided by a majority of the Councillors present and voting thereon subject to Standing Orders 3.a). And 3.b) below.
- f) If prior to a meeting, a Councillor has submitted reasons for their -absence* at the meeting which is then approved by resolution, such resolution shall be recorded in the minutes of the meeting at which the approval was given.
- g) Meetings shall not exceed a period of 2.25 hours unless previously agreed prior to the meeting.
- h) The Ordinary Parish Council meeting in April will be held in the same location as the Annual Parish Meeting providing it follows the Annual Parish Meeting on the same evening, for reasons of expediency.

* Councillors have a duty to attend but sometimes are unable to make it. They must contact the Proper Officer with an apology and explanation. Illness or work commitments are acceptable reasons but casual reasons are not. If a Councillor fails to attend any meetings for six months, they will automatically cease to be a councillor unless the council approved reason for absence before the end of the six month period.

2. Chairing of the Meeting



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

- a) The Chairperson, if present, shall preside at a meeting. If the Chairperson is absent from a meeting, the Vice Chairperson, if present, shall preside. If both the Chairperson and Vice Chairperson are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting and may exercise all the powers and duties of the Chairperson in relation to the conduct of the meeting.

3. Voting

- a) Voting on any question shall be by a show of hands. At the request of a Councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave their vote for, or against that question. Such a request may be made before or after the vote but in any event before moving on to the next business.
- b) The Chairperson shall in the case of an equality of votes have a second or casting vote notwithstanding the provisions in clauses 4.a); 4.b); 4.c) and 14 e).

4. Chairperson or Presiding Voting Status

- a) **Subject to (b) and (c) below the Chairperson would not normally cast a vote on any matter put to the vote, and in any case of an equality of votes may give a casting vote.**
- b) **If the person presiding at The Annual Meeting of the Council would have ceased to be a member of the council but for the statutory provisions which preserve the membership of the Chairperson and Vice Chairperson until the end of their term of offices/they may not give an original vote in an election for Chairperson.**
- c) **The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairperson.** This vote shall be for a person other than themselves.

5. Ordinary Council Meetings

- a) ***(In addition to the Statutory Annual Meeting of the Council 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).*** All Cannings Parish Council will hold ordinary meetings on the last Wednesday of each month except August and



December or on such dates and times as the Council deems exceptional circumstances necessitate.

- b) **The minutes of a meeting shall record the names of Councillors present and absent in line with Standing Order 1. f).**
- c) **If a meeting is or becomes inquorate no business shall be transacted.** Three members or one-third of the total membership, whichever is the greater, shall constitute a quorum.
- d) **At every meeting other than The Annual Meeting of the Council the first business shall be to appoint a Chairperson if the Chairperson and Vice Chairperson 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.**
- e) **After consideration, to approve the signature of the Minutes by the person presiding as a correct record.**
- f) **To deal with business expressly required by statute to be done and in doing so:-**
 - I. comply with its obligations under the Freedom of Information Act 2000, the Data Protection Act 2018 (GDPR) and the Equality Act 2010
 - II. Comply with employment law.
 - III. Consider the impact of their decisions on reducing crime and disorder in their area.
 - IV. Have regard to the protection of biodiversity in carrying out their functions.

g) Proposals without Notice

The following proposals may be moved without notice to:

- i. Appoint a Chairperson of the meeting.
- ii. Correct the Minutes.
- iii. To approve absence of Councillors.
- iv. Approve the Minutes.
- v. Alter the order of business subject to Standing Order 10.d).
- vi. Proceed to the next business.
- vii. Close or adjourn the debate.
- viii. Refer a matter to a Committee/Sub-committee/Working Party or Task & Finish Group.
- ix. Appoint a Committee/Sub-committee/Working Party or Task & Finish Group or any members thereof.
- x. To dissolve a Committee/Sub-committee/Working Party or Task & Finish Group.
- xi. Adopt a report.
- xii. Authorise the sealing of documents.
- xiii. Amend a motion.



- xiv. give leave to withdraw a proposal or amendment.
- xv. exclude the press and public. (See Standing Order 17.a). below)
- xvi. silence or eject from the meeting a member named for misconduct. (See Standing Order 11.a). and 12 below)
- xvii. give the consent of the Council where such consent is required by these Standing Orders.
- xviii. suspend any Standing Order except those mandatory by law.
- xix. to appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
- xx. adjourn the meeting

h) Business raised 'On Notice'

- i. Except as provided by these Standing Orders, no matter for discussion may be raised unless the business to which it relates has been put on the Agenda, either by the Proper Officer or as a result of notice given to the Proper Officer in writing at least five clear days before the next meeting of the Council. All business so notified shall be included on the Agenda and included with the summons for the meeting.
 - ii. If the Proper Officer considers the wording of a motion received in accordance with Standing Order 5.h)i. above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer in clear and certain language at least five clear days before the meeting.
 - iii. If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Chairperson of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting to consider whether the motion shall be included or rejected in the Agenda.
 - iv. All business raised for discussion shall be relevant to some subject over which the Council has power or duties which affects its area.
- i) If a motion falls within the terms of reference of a committee or sub-committee or within the delegated powers conferred on the Proper Officer, a referral of the same may be made to such committee or sub-committee or Proper Officer provided that the Chairperson may direct for it to be dealt with at the present meeting for the reasons or urgency or expenditure.

6. Extraordinary Meetings



- a) Where a decision needs to be made between meetings and the matter needs full discussion, the Chairperson may call an extraordinary meeting to discuss the specific item, alternatively -
- b) Under Section 101 (of the Local Government Act 1972) the council may choose to delegate the power to make decisions to an officer, a committee or a sub-committee. Agreement in respect of the kind of decisions that can be made such as routine decisions, dealing with emergencies or spending small sums of money will have been agreed and minuted at an Ordinary Parish Council Meeting
- c) **If the Chairperson of the Council does not or refuses to call an extraordinary meeting of the Council within 7 days of having been requested to do so by two Councillors, those two Councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue and agenda for such meeting must be signed by the two Councillors.**

7. The Statutory Annual Meeting of the Council

- a) **In an election year The Annual Meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office and**
- b) **In a year which is not an election year The Annual Meeting of the Council shall be held on such day in May as the Council may direct.**

8. At each Annual Meeting of the Council the first business shall be:

- a) **In an election year - delivery by Councillors of their declarations of acceptance of office**
- b) **To elect a Chairperson of the Council and Vice Chairperson (if any) of the Council**
- c) **To receive the Chairperson's declaration of acceptance of office or, if not then received, to decide when it shall be received.**
- d) **To receive the Vice Chairpersons declaration of acceptance of office, if not then received, to decide when it shall be received.**
- e) **In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.**
- f) **To decide when any declarations of acceptance of office and written undertakings to observe the code of conduct adopted by the council which have not been received as provided by law, shall be received.**
- g) **Review and adoption of appropriate Standing Orders and Financial Regulations.**
- h) **Setting the dates and times of ordinary meetings of the full Council for the year ahead and where known changes to normal location necessitate advising of alternative location. (See also Standing Order 1. b.)**



9. Annual "Parish" Meeting

An Annual Parish Meeting for local residents shall be held between 1 March and 1 June inclusive.

- a) If no other time is fixed, the Annual Parish Meeting shall take place at 7.00pm. The Annual Meeting of the Council shall take place at 7.30pm.
- b) Whilst Parish Council meetings will normally be held in All Cannings Village Hall the Annual Parish Meeting may take place at an alternative venue where facilities required for the meeting are not available in the village hall. See also Standing Order 1.h).

10. Rules of Debate

- a) No discussion shall take place upon the Minutes except upon their accuracy.
- b) Corrections to the Minutes shall be made by resolution and must be initialled by the Chairperson. Standing Orders 1.c). and 5.e).
- c) Only matters relevant to an Agenda item may be discussed (unless exceptionally urgent).
- d) Motions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Chairperson's direction for reasons of expedience.
- e) A member introducing an item for debate shall state clearly the action that it is proposed the Council should take.
- f) A member shall direct their speech to the question under discussion or to a personal explanation or to a question of order. A personal explanation shall be to clarify some material part of a former speech by them which may have been misunderstood.
- g) A motion included in an agenda not moved by the Councillor who tabled it, may be treated as withdrawn.
- h) When a proposal is under debate no other proposal shall be made except the following: -
 - i. To proceed to the next business.
 - ii. To adjourn the debate.
 - iii. That the question be now put.



- iv. That a member named be not further heard.
- v. That a member named does leave the meeting.
- vi. That the proposal be referred to a committee.
- vii. To exclude the public and press.
- viii. To adjourn the meeting.

11. Code of Conduct

- a) All members must observe the Code of Conduct as adopted by the council, a copy of which is annexed to these Standing Orders.
- b) **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 Standards Board (England).**

12. Disorderly Conduct

- a) No member shall at a meeting persistently disregard the ruling of the Chairperson, wilfully obstruct business, or behave irregularly, offensively, improperly or in such a manner as to bring the Council into disrepute.

13. Matters Affecting Employees of the Council

- a) 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 press and public shall be excluded. (See Standing Order 17 a).)
- b) The Chairperson or in their absence, the Vice-Chairperson or nominated Councillors shall upon a resolution conduct a review of the performance and/or appraisal of the Proper Officer and shall keep a written record of it. The review and/or appraisal shall be reported back and shall be subject to approval by resolution of the Council.
- c) Subject to the Council's policy regarding the handling of grievance matters, the Proper Officer shall contact the Chairperson of the Council or in their absence, the Vice-Chairperson in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Council.
- d) Subject to the Council's policy regarding the handling of grievance and disciplinary matters, if an informal or formal grievance matter raised by the Proper Officer relates to the Chairperson or Vice-Chairperson, this shall be



communicated to another member of the Council which shall be reported back and progressed by resolution of the Council.

14. Expenditure

- a) **Finances are administered by an officer known, in law (Section 151 of the Local Government Act, 1972), as the Responsible Financial Officer (RFO).**
- b) **The council takes no unacceptable risks with public money.**
- c) **Orders for the payment of money shall be authorised by resolution of the Council and signed by two members.**
- d) The Responsible Financial Officer shall supply to each member as soon as practicable after 31 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 (receipts and payments, or income and expenditure) for a year to 31 March shall be presented to each member before the end of the following month of May.
- e) 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 June.
- f) The Council will act in accordance with its Financial Regulations.
- g) Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £1,000 shall be procured on the basis of formal tenders (The Council will seek to secure a minimum of three written quotes) as summarised in Standing Order 14. h). below.
- h) Any formal tender process shall comprise the following steps:
 - i. a public notice of intention to place a contract to be placed in a local newspaper;
 - ii. a specification of the goods, materials, services and the execution of works shall be drawn up;
 - iii. tenders are to be sent, in a sealed marked envelope, to the Proper Officer by a stated date and time;
 - iv. tenders submitted are to be opened, after the stated closing date and time, by the Proper Officer and at a full Council meeting;
 - v. tenders are then to be assessed and reported to the appropriate Sub-Committee, if applicable.
- i) Neither the Council, nor any committee is bound to accept the lowest tender, estimate or quote.
- j) **Where the value of a contract is likely to exceed £181,302 (or other threshold specified by the Office of Government Commerce from time to time) the**



Council must consider whether the Public Contracts Regulations 2016 and the Utilities Contracts Regulations 2015 apply to the contract and, if either of those Regulations apply, the Council must comply with EU procurement rules. See Also Financial Regulations 11.1 (c).

15. Advisory Working Groups

- a) The Council may create advisory working groups, whose name, and number of members and the bodies to be invited to nominate members shall be specified.
- b) The Proper Officer shall inform the members of each advisory working group of the terms of reference of the committee.
- c) An advisory working group may make recommendations and give notice thereof to the Council.
- d) An advisory working group may consist partly or wholly of persons who are not members of the Council.
- e) **Chairpersons of Standing Committees and Sub - committees shall in the case of an equality of votes have a second or casting vote.**

16. Interests

- a) **If a member has a personal interest as defined by the Code of Conduct as adopted by the Council then that person shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required by the Responsible Authority (via the Proper Officer).**
- b) If a member is aware of a disclosable pecuniary interest in a matter under consideration at a meeting but such interest is not already on their register of interests, the member must disclose the disclosable pecuniary interest at the meeting and register it with the district council's Monitoring Officer within 28 days of the meeting at which the relevant business is considered.
- c) **If a member who has declared a personal interest then considers the interest to be prejudicial, s/he must withdraw from the room or chamber during consideration of the item to which the Interest relates, subject to having the right to speak during the public participation part of the meeting.**
- d) **In certain circumstances the Council may grant a dispensation to permit a member(s) to take part in the business of the authority even if the member has a disclosable pecuniary interest relating to that business. A written request for dispensation is to be submitted, well in advance of any anticipated discussion, to the Proper Officer who has delegated responsibility to receive and approve**



such dispensation requests on behalf of the Council. The Proper Officer will notify the Council and Authority Monitoring Officer if dispensation is approved.

- e) The Proper Officer is required to maintain a link to the Register of Member's Interests, held on the Wiltshire Council website on the Parish Website in accordance with agreement reached with the Monitoring Officer of the Responsible Authority and/or as required by statute.**
- f) All minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council.**

17. Admission of the Public and Press to Meetings

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

"In the view that 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" (the special reasons should be stated. If a person's advice or assistance is needed they may be invited (by name) to remain after the exclusion resolution is passed). This will be indicated on the Agenda and re-iterated at the Council meeting. See also Standing Order 5.g). xv.

- b) The Proper Officer shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present. (Openness of Local Government Bodies Regulations 2014 means that councils must allow anyone to record and report the proceedings of public meetings.)**
- c) Subject to 17. a) above, members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included on the Agenda. The meeting may be suspended to allow members of the public to speak at the appropriate time and a note of the suspension/ reference that the public were permitted to speak shall be made in the minutes.**
- d) The period of time which is designated for public participation in accordance with Standing Order 17. c) shall not exceed 15 minutes in total.**
- e) Each member of the public is entitled to speak on a business item on the Agenda for no more than 3 minutes - unless the Chairperson authorises an extension of time not exceeding the 15 minutes maximum permitted under 17. d) above.**



- f) Any person speaking at a meeting shall address their comments to the Chairperson.

18. Liaison with Wiltshire Councillors

- a) A Summons and Agenda for each meeting shall be sent, together with an invitation to attend, to the Wiltshire Councillor(s) for the appropriate division. For Full Council meetings, the Unitary Councillor(s) will be invited to fully participate in and inform debate, but will not be entitled to take part in any vote.

19. 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.

20. Standing Orders to be given to Members

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

Version: 1.19 - Adopted: 29th May 2019.

All Cannings Parish Council Standing Orders - adopted Signed: