

Elmore Parish Council Standing Orders
January 2018

How to use these standing orders

The Standing Orders for the organisation and transaction of the business of Elmore Parish Council are decided by full Council and are to be reviewed at the Annual Parish Council Meeting every 3 years with the proviso that any amendments necessary are considered and voted upon by the Parish Council in the normal course of business during any formal meeting.

The standing orders in **bold type** should not be ignored or substantively amended unless the legislation out of which they are born changes. If The Council wants to slightly alter the wording of any section of the standing orders in **bold type**, then any such amendments must not have the effect of undermining, overriding or conflicting with statutory requirements.

Standing orders not highlighted in bold type do not incorporate statutory requirements. They are aimed at (i) highlighting matters that merit regulation by standing orders and (ii) encouraging use of standing orders to regulate routine administrative arrangements.

These Standing orders do not include financial regulations, namely a comprehensive set of standing orders for the regulation of the Council's financial affairs and accounting procedures. Any reference in these standing orders to financial regulations is a reference to the Council's standing orders for the regulation of its financial affairs.

These Standing Orders have been amended to try to reflect the advent of electronics for day-to-day communications. The speed of progress in e-mail and other forms of electronic media will necessitate a pragmatic approach to the formal regulations as contained in these Standing Orders.

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1 Meetings

MFC Indicates items that are Mandatory for full Council meetings

MCM Indicates items that are Mandatory for committee meetings

MSC Indicates items that are Mandatory for sub-committee meetings

- MFC* a **Meetings shall not take place in premises, which at the time of the meeting, are used for the supply of alcohol unless no other premises are available free of charge or at a reasonable cost.**
- MFC* b **There must be 3 clear working days notice for any formal meeting of the Parish Council at which the public is entitled to be present. 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. Notwithstanding the above the Clerk should, whenever possible, endeavour to achieve 7 clear days notice for all public meetings.**
- MCM* c **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- d Subject to standing order 1(c) above, members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included in the published agenda. This would normally take place during any 'Open Question Time' listed on the published Agenda. However, the Chair may feel it appropriate to include questions or statements from the public on listed Agenda items at any stage during the meeting.
- e Whereas, at the meetings of Stroud District Council and Gloucester County Council, there is a specified speaking time limit for members of the public, this policy is not in force for Elmore Parish Council meetings. In the interest of openness and transparency, Elmore Parish Council wishes to encourage input and comment from the parishioners. Therefore, there is to be no specified period of time, which is designated for public participation in accordance with Standing Order 1(d) above.
- f In accordance with Standing Order 1(d) above, a question asked by a member of the public during a public participation session at a meeting shall not require a response or debate. However, the Chair or designated Councillor should endeavour to answer questions but if the answer requires some element of research or wider consultation then a response should be issued through The Clerk to the questioner within a reasonable timeframe.
- g In accordance with standing order 1(f) above, the Chair may direct that a response to a question posed by a member of the public be referred to

a Councillor for an oral response or to an employee for a written or oral response.

h A record of a public participation session at a meeting shall be included in the Minutes of that meeting.

i Unless otherwise directed by the chair, a person shall raise his/her hand when requesting to speak and stand when speaking (*except when a person has a disability or is likely to suffer discomfort*). The chair may, at any time, permit an individual to be seated when speaking.

j Any person speaking at a meeting shall address his comments to the chair and not to a Councillor or another member of the public.

k Only one person is permitted to speak at a time. If more than one person wishes to speak, the chair shall direct the order of speaking.

MFC 1 **Photographing, recording, broadcasting or transmitting the**
MCM **proceedings of a meeting by any means is not permitted without the Council's prior consent.**

MFC m **In accordance with standing order 1(c) above, the press shall be**
MCM **provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**

MFC n **Subject to standing orders which indicate otherwise, anything**
authorised or required to be done by, to or before the Chair may in his absence be done by, to or before the Vice-Chair.

MFC o **The Chair, if present, shall preside at a meeting. If the Chair is**
absent from a meeting, the Vice-Chair, if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting, provide there is a quorum of the Council present.

MFC p **Subject to Standing Order 1x below, all questions at a meeting shall**
MCM **be decided by a majority of the Councillors present and voting thereon.**

MFC q **The Chair may vote on any matter put to the vote, and, in the case**
MCM **of an equality of votes, may exercise his casting vote whether or not he gave an original vote. (See also standing orders 2 (i) and (j)**
MSC **below.)**

MFC r **Unless standing orders provide otherwise, 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 his vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.

MFC s **The minutes of a meeting shall record the names of all Parish**
MCM **Councillors present.**

MSC

- t It is very unlikely that a secret ballot would be required for any item to be discussed at a meeting of Elmore Parish Council. However, in exceptional circumstances the Chair (or in his absence the Vice-Chair) may direct that voting shall be by each Councillor writing his choice in the matter to be decided on a sheet of paper to be handed to the Clerk. The Clerk will then announce the results and, if the result is not contested, will destroy the voting slips. If the result requires a further vote, it will take place by the same method as the first and, if there is an equality of votes, the Chair will exercise a casting vote. If the vote is contested, the Chair will inspect the voting papers and his decision will be final as to the votes cast.

MFC u **The Code of Conduct adopted by the Council shall apply to**
MCM **Councillors in respect of the entire meeting.**

MFC v **An interest arising from the Code of Conduct adopted by the**
MCM **Council, the existence and nature of which is required to be**
MSC **disclosed by a Councillor at a meeting shall be recorded in the**
minutes. (*See also standing orders 7 and 8 below.*)

MFC w **No business may be transacted at a meeting unless at least one**
third of the whole number of members of the Council are present
(i.e. a Quorum) and in no case shall the quorum of a meeting be
fewer than 3.

MFC x **If a meeting is or becomes inquorate no business shall be**
MCM **transacted and the meeting shall be adjourned. Any outstanding**
MSC **business of a meeting so adjourned shall be transacted at a**
following meeting.

2 Ordinary Council meetings

See also standing order 1 above

- a **In an election year, the Annual Meeting of the Parish Council shall be held on or within 14 days following the day on which the newly elected councillors take office. (This applies equally where an election was uncontested and Councillors were ‘deemed elected’)**
- b **In a year which is not an election year, the Annual Meeting of Elmore Parish Council shall be held on a day in May as the Council may direct and subject to the availability of the Village Hall.**
- c **If no other time is fixed, the Annual Meeting of the Parish Council shall take place at 7.45pm.**
- d **In addition to the Annual Meeting of the Council, at least three**

other ordinary meetings shall be held in each calendar year on such dates and times as the Council directs and within the constraints of the availability of the Village Hall.

- e The election of the Chair and Vice- Chair of the Council shall be the first business completed at the Annual Meeting of the Parish Council.**
- f The Chair of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the Annual Meeting until his successor is elected at the next annual meeting of the Council.**
- g The Vice- Chair of the Council, if any, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.**
- h In an election year, if the current Chair of the Parish Council has not been re-elected as a member of the Council, he shall preside at the meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but must give a casting vote in the case of an equality of votes.**
- i In an election year, if the current Chair of the Council has been re-elected as a member of the Council, he shall preside at the meeting until a new Chair of the Council has been elected. He may exercise an original vote in respect of the election of the new Chair of the Council and must give a casting vote in the case of an equality of votes.**
- j Following the election of the Chair of the Council and Vice-Chair of the Council at the Annual Meeting of the Parish Council, the order of business shall be as follows.**
 - i. In an election year, delivery by councillors of their declarations of acceptance of office.**
 - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council and to receive and note minutes of and/or to**

- determine recommendations made by committees.
- iii. Review of delegation arrangements to committees, sub-committees, employees and other local authorities.
 - iv. Review of the terms of references for committees (if any)
 - v. Receipt of nominations to existing committees. (if any)
 - vi. Appointment of any new committees, confirmation of the terms of reference, the number of members (including, if appropriate, substitute councillors) and receipt of nominations to them.
 - vii. Review and adoption of appropriate Standing Orders and financial regulations.
 - viii. Review of inventory of land and assets including buildings and office equipment.
 - ix. Review and confirmation of arrangements for insurance cover in respect of all insured risks.
 - x. Establishing or reviewing the Council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998.
 - xi. Establishing or reviewing the Council's policy for dealing with the press/media
 - xii. Ratifying the dates, times and place of ordinary meetings of the full Council for the year ahead. However, in the interested of forward planning this procedure of fixing the dates is normally carried out at the Parish Council meeting held in December of each year.

3 Proper Officer

- a The Council's Proper Officer shall be The Clerk. In the absence of The Clerk and in view of the fact that no other employee is appointed by the Council the Chair shall appoint someone to undertake the role of the Proper Officer during the Proper Officer's absence. The Proper Officer, or stand-in appointed to act as such during the Proper Officer's absence, shall fulfil the duties assigned to the Proper Officer in standing orders.
- b The Council's Proper Officer shall do the following.

- i. Upon the Council having first resolved that service of summons on councillors confirming the time, date, venue and the Agenda for a meeting by electronic delivery at least 3 clear days before a meeting.
- ii. **Give public notice of the time, date, venue and agenda at least 3 clear days, and preferably 7 days, before a meeting of the Council or a meeting of a committee or a sub-committee (provided that the public notice with Agenda of an extraordinary meeting of the Council convened by Councillors is signed by them).**
- iii. Subject to standing orders 4(a)–(e) below, include in the agenda all motions in the order received unless a councillor has given written notice before the meeting confirming his withdrawal of it.
- iv. **Convene a meeting of the full Council for the election of a new Chair of the Council, occasioned by a casual vacancy in his office, in accordance with standing order [3(b)i] OR [3(b)ii] above.**
- v. Make available for inspection the Minutes of all meetings by publishing such Minutes on the Parish website
- vi. **Receive and retain copies of byelaws made by other local authorities.**
- vii. **Receive and retain declarations of acceptance of office from councillors.**
- viii. Retain a copy of every Councillor's register of interests and any changes to it and keep copies of the same available for inspection.
- ix. Keep proper records required before and after meetings;
- x. Process all requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council's procedures relating to the same.
- xi. Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
- xii. Manage the organisation, storage of and access to information held by the Council in paper and electronic form.

- xiii. Arrange for legal deeds be signed by 2 Councillors and witnessed
(*See also standing orders 14(a) and (b).*)
- xiv. Arrange for the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations.
- xv. Record every planning application notified to the Council and the Council's response to the local planning authority in a location kept for such purpose;
- xvi. Refer a planning application received electronically by the Council to the Chair or in his absence Vice- Chair within 2 working days of receipt to facilitate an extraordinary public meeting if the nature of a planning application is of public interest. Otherwise, in view of the current short legal timeframes imposed by the Government, consideration of planning applications shall be by electronic means and response agreed by a quorum of Councillors. Where this procedure happens outside the normal schedule of meetings then all decisions will be ratified at the next available Council meeting and the decisions recorded in the Minutes of that meeting.
- xvii. Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.

4 Motions requiring written notice

- a In accordance with standing order 3(b)(iii) above, no motion may be moved at a meeting unless it is included in the Agenda and the mover has given written notice of its wording to the Council's Proper Officer at least 7 clear days before the next meeting.
- b The Proper Officer may, before including a motion in the Agenda received in accordance with standing order 4(a) above, correct obvious errors in the wording of the motion.
- c If the Proper Officer considers the wording of a motion received in accordance with standing order 4(a) 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 unambiguous language at

least 6 clear days before the meeting.

- d If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Chair 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.
- e Having consulted the Chair or Councillors pursuant to standing order 4(d) above, the decision of the Proper Officer as to whether or not to include the motion in the Agenda shall be final.
- f Notice of every motion received in accordance with the Council's Standing Orders shall be numbered in the order received and shall be entered in a location kept for such purposes, which shall be open to inspection by all Councillors.
- g Every motion rejected in accordance with the Council's Standing Orders shall be duly recorded with a note by the Proper Officer giving reasons for its rejection in the same location as 4(f) above.
- h Every motion and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area or its residents.

5 Motions not requiring written notice

- a Motions in respect of the following matters may be moved without written notice.
 - i. To appoint a person to preside at a meeting.
 - ii. To approve the absences of councillors.
 - iii. To approve the accuracy of the minutes of the previous meeting.
 - iv. To correct an inaccuracy in the minutes of the previous meeting.
 - v. To dispose of business, if any, remaining from the last meeting.
 - vi. To alter the order of business on the agenda for reasons of urgency or expedience.
 - vii. To proceed to the next business on the agenda.
 - viii. To close or adjourn debate.

- ix. To refer by formal delegation a matter to a committee or to a sub-committee or an employee.
 - x. To appoint a committee or sub-committee or any councillors (including substitutes)thereto.
 - xi. To receive nominations to a committee or sub-committee.
 - xii. To dissolve a committee or sub-committee.
 - xiii. To note the minutes of a meeting of a committee or sub-committee.
 - xiv. To consider a report and/or recommendations made by a committee or a sub- committee or an employee.
 - xv. To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
 - xvi. To authorise legal deeds [to be sealed by the Council’s common seal] OR [signed by two councillors] and witnessed.
(See standing orders 14(a) and (b) below.)
 - xvii. To authorise the payment of monies up to £1000 (one thousand pounds).
 - xviii. To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
 - xix. To extend the time limit for speeches.
 - xx. To exclude the press and public for all or part of a meeting.
 - xxi. To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
- b If a motion falls within the terms of reference of a committee or sub-committee or within the delegated powers conferred on an employee, a referral of the same may be made to such committee or sub-committee or employee provided that the may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

6 Rules of debate

- a Motions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Chair’s direction for reasons of expedience.

- b Subject to standing orders 4(a)–(e) above, a motion shall not be considered unless it has been proposed and seconded.
- c Subject to standing order 3(b)(iii) above, a motion included in an agenda not moved by the councillor who tabled it, may be treated as withdrawn.
- d A motion to amend an original or substantive motion shall not be considered unless proper notice has been given after the original or substantive motion has been seconded and notice of such amendment, shall, if required by the Chair, be put in writing and handed to the Chair who shall determine the order in which they are considered.
- e A Councillor may move amendments to his own motion. If a motion has already been seconded, an amendment to it shall be with the consent of the seconder.
- f Any amendment to a motion shall be either:
 - i. to leave out words;
 - ii. to add words;
 - iii. to leave out words and add other words.
- g A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration.
- h Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chair. No further amendment to a motion shall be moved until the previous amendment has been disposed of.
- i Subject to Standing Order 6(h) above, one or more amendments may be discussed together if the Chair considers this expedient but shall be voted upon separately.
- j Pursuant to standing order 6(h) above, the number of amendments to an original or substantive motion, which may be moved by a councillor, is limited to one.
- k If an amendment is not carried, other amendments shall be moved in the order directed by the Chair.
- l If an amendment is carried, the original 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.
- m The mover of a motion or the mover of an amendment shall have a right of reply, not exceeding 5 minutes.
- n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply in respect of the substantive motion at the very end of debate and immediately before it is put to the vote.
- o Subject to standing orders 6(m) and (n) above, a councillor may not speak further in respect of any one motion except to speak once on an amendment moved by another councillor or to make a point of order or to give a personal explanation.
- p During the debate of a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A Councillor raising a point of order shall identify the standing order, which he considers has been breached, or specify the irregularity in the meeting he is concerned by.
- q The Chair shall decide a point of order and his decision shall be final.
- r With the consent of the seconder and/or of the meeting, the proposer may withdraw a motion or amendment. A councillor shall not speak upon the said motion or amendment unless permission for the withdrawal of the motion or amendment has been refused.
- s Subject to standing order 6(o) above, when a councillor's motion is under debate no other motion shall be moved except:
- i. to amend the motion;
 - ii. to proceed to the next business;
 - iii. to adjourn the debate;
 - iv. to put the motion to a vote;
 - v. to ask a person to be silent or for him to leave the meeting;
 - vi. to refer a motion to a committee or sub-committee for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting;
 - ix. to suspend any standing order, except those which are mandatory.

- t In respect of standing order 6(s)(iv) above, the shall first be satisfied that the motion has been sufficiently debated before it is seconded and put to the vote. The Chair shall call upon the mover of the motion under debate to exercise or waive his right of reply and shall put the motion to the vote after that right has been exercised or waived. The adjournment of a debate or of the meeting shall not prejudice the mover's right of reply at the resumption.
- u Notwithstanding all the foregoing (6a-6t), which can be enforced if necessary, debates during Elmore Parish Council meetings shall be open to all Councillors to voice their opinion and offer suggestions at any time. During Open Question time as indicated on the Agenda, the Chair shall have the authority to allow any member of the public to speak more than once.

7 Code of conduct

See also model standing orders 1(d)-(i) above

A revised statutory code of conduct is expected to come into force in 2010

- a **All councillors shall observe the code of conduct adopted by the Council.**
- b All councillors shall be briefed on and invited to undertake training in the Code of Conduct within 6 months of the delivery of their declaration of acceptance of office.
- c **If paragraph 12(2) of the Code of Conduct contained in the Local Authorities (Model Code of Conduct) Order 2007 (SI No.1159) has been adopted by the Council or pursuant to relevant provisions in a statutory code of conduct in force at the time, councillors may exercise the rights contained in standing order 7(d) below only if members of the public are permitted to (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted.**
- d **Councillors with a prejudicial interest in relation to any item of business being transacted at a meeting may (i) make**

representations, (ii) answer questions and (iii) give evidence relating to the business being transacted but must, thereafter, leave the room or chamber.

8 Questions

- a A councillor may seek an answer to a question concerning any business of the Council provided (6) clear days notice of the question has been given to the Proper Officer (The Clerk).
- b Questions not related to items of business on the agenda for a meeting shall only be asked during the part of the meeting set aside for such questions.
- c Every question shall be put and answered and open to discussion by other Councillors.

9 Minutes

- a If a copy of the draft Minutes of a preceding meeting has been circulated to councillors no later than the day of service of the summons to attend the scheduled meeting they shall be taken as read.
- b No discussion of the draft Minutes of a preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the minutes shall be raised in accordance with standing order 5(a)(iv) above.
- c Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the Chair of the meeting and stand as an accurate record of the meeting to which the minutes relate. Thereafter the Minutes shall appear on the Elmore Parish website and shown as approved.
- d If the Chair of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:

“The Chair of this meeting does not believe that the minutes of the

meeting of the Parish Council held on [date] were a correct record but his view was not upheld by the majority of the Councillors and the minutes are confirmed as an accurate record of the proceedings.”

- e Upon a resolution, which confirms the accuracy of the minutes of a meeting, any previous draft minutes or recordings of the meeting shall become inconsequential.

10 Disorderly conduct

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly.
- b If, in the opinion of the Chair, there has been a breach of standing order 10(a) above, the Chair shall express that opinion and thereafter any Councillor (including the Chair) may move that the person be silenced or excluded from the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
- c If a resolution made in accordance with standing order 10(b) above, is disobeyed, the Chair may take such further steps as may reasonably be necessary to enforce it and/or he may adjourn the meeting.

11 Rescission of previous resolutions

- a A resolution of the Council shall not be reversed within 6 months except either by a special motion, the written notice whereof bears the names of at least 3 Councillors of the Council, or by a motion moved in pursuance of the report or recommendation of a committee.
- b When a special motion or any other motion moved pursuant to standing order 11(a) above has been disposed of, no similar motion may be moved within a further 6 months.

12 Voting on appointments

- a Where more than 2 persons have been nominated for a position to be filled by the Council and none of those persons has received an

absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. Any tie may be settled by the 's casting vote.

13 Expenditure

- a Any expenditure incurred by the Council shall be in accordance with the Council's financial regulations.
- b **The Council's financial regulations shall be reviewed once a year.**
- c **The Council's financial regulations may make provision for the authorisation of the payment of money in exercise of any of the Council's functions to be delegated to a committee, sub-committee or to an employee.**
- d **All receipts to the value of £100, or greater, shall be posted on the Parish website in accordance with the current transparency rules.**

14 Execution and sealing of legal deeds

See also standing order 5(a)(xvi) above

- a A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.
- b **In accordance with a resolution made under standing order 14(a) above, any two members of the Council, may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures. This includes cheques payable for services rendered to the Parish Council.**

15 Committees

See also standing order 1 above

- a The Council may, at its Annual Meeting, appoint standing committees and may at any other time appoint such other committees as may be

necessary, and:

- i. shall determine their terms of reference;
- ii. may permit committees to determine the dates of their meetings;
- iii. shall appoint and determine the term of office of councillor or non-councillor members of such a committee (unless the appointment of non-councillors is prohibited by law) so as to hold office no later than the next annual meeting;
- iv. may appoint substitute councillors to a committee whose role is to replace ordinary councillors at a meeting of a committee if ordinary councillors of the committee have confirmed to the Proper Officer 6 days before the meeting that they are unable to attend;
- v. an ordinary member of a committee who has been replaced at a meeting by a substitute member (in accordance with standing order 15(a)(iv) above) shall not be permitted to participate in debate or vote on business at that meeting and may only speak during any public participation session during the meeting;
- vi. may in accordance with standing orders, dissolve a committee at any time.
- vii. Notwithstanding the above, much of the traditional work of the Parish Council in particular in relation to Stroud District Council, Gloucester County Council, The Environment Agency etc, has been become electronic. Therefore, the role of Committees has been somewhat overtaken by events. In particular, the oversight of Planning Applications, which has become fully electronic. In such situations correspondence between Councillors on related subjects shall be construed as 'Committee discussion'.

16 Sub-committees

See also standing order 1 above

- a Unless there is a Council resolution to the contrary, Elmore Parish Council shall have no sub-committees.

17 Extraordinary meetings

See also standing order 1 above

- a. The Chair of the Council may convene an extraordinary meeting of**

the Council at any time.

b. If the Chair 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, the two councillors must sign the venue and agenda for such a meeting.

c. The Chair of a committee (or a sub-committee) may convene an extraordinary meeting of the committee or sub-committee at any time.

d. If the Chair of a committee (or a sub-committee) does not or refuses to call an extraordinary meeting within (6) days of having been requested by to do so by 2 Councillors, those 2 Councillors may convene an extraordinary meeting of a committee (or a sub-committee). The statutory public notice giving the time, venue and agenda for such a meeting must be signed by 2 Councillors.

18 Advisory committees

See also standing order 1 above

- a The Council may appoint advisory committees comprised of a number of councillors and non-councillors.
- b Advisory committees and any sub-committees may consist wholly of persons who are non-councillors.

19 Accounts and Financial Statement

- a All payments by the Council shall be authorised, approved and paid in accordance with the Council's financial regulations, which shall be reviewed at least annually.
- b The Responsible Financial Officer shall adhere to the provisions of the 'Financial Transparency rules) by publishing the details of any invoice over £100 on the Parish Website.
- c A Financial Spreadsheet, prepared on the appropriate accounting basis (receipts and payments, or income and expenditure) shall form part of

the financial discussions at every Parish Council Meeting. The Statement of Accounts of the Council (which is subject to external audit), including the annual governance statement, shall be presented to Council for formal approval before 30 June.

d In his formal Statement at the Annual Parish Meeting, the Chair shall address the financial state of the Council's accounts.

20 Estimates/precepts

- a **The Council shall approve written estimates for the coming financial year** at its meeting before the end of January.
- b Any committee desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year no later than December.

21 Canvassing of and recommendations by councillors

- a Canvassing Councillors or the members of a committee or sub-committee, directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such an appointment. The Proper Officer shall disclose the requirements of this standing order to every candidate.
- b A Councillor or a member of a committee or sub-committee shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for promotion; but, nevertheless, any such person may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- c This standing order shall apply to tenders as if the person making the tender were a candidate for an appointment.

22 Inspection of documents

- a Subject to standing orders to the contrary, or in respect of matters which are confidential, a Councillor may, for the purpose of his official duties (but not otherwise), inspect any document in the possession of the Council or a committee or a sub-committee, and request a copy for the same purpose. The Minutes of meetings of the Council, its committees or sub-committees are available for inspection by Councillors by virtue of the fact that they are published on the Parish website.

23 Unauthorised activities

- a Unless authorised by a resolution, no individual Councillor shall in the name or on behalf of the Council, a committee or a sub-committee:
 - i. inspect any land and/or premises which the Council has a right or duty to inspect; or
 - ii. issue orders, instructions or directions.

24 Confidential business

- a Councillors shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature.
- b A Councillor in breach of the provisions of standing order 24(a) above may be removed from a committee or a sub-committee by a resolution of the Council.

25 Power of well-being (England)

- a **Before exercising the power to promote well-being, a meeting of the full Council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria required to qualify as an eligible parish council.**
- b. **The Council's period of eligibility begins on the date that the resolution under standing order 25 (a) above was made and expires on**

the day before the annual meeting of the Council that takes place in a year of ordinary elections.

c. After the expiry of its preceding period of eligibility, the Council continues to be an eligible council solely for the purpose of completing any activity undertaken in the exercise of the power to promote well-being which was not completed before the expiry of the Council's preceding period of eligibility referred to in standing order 25(b) above.

26 Matters affecting Council employees

- a If a meeting considers any matter personal to a Council employee, it shall not be considered until the Council OR [the relevant committee (If any)] has decided whether or not the press and public shall be excluded pursuant to standing order 1(c) above.
- b Subject to the Council's policy regarding absences from work, the Council's most senior employee shall notify the Chair of any absence occasioned by illness or urgency.
- c The Chair of the Council, or in his absence, the Vice-Chair shall upon a resolution conduct a review of the performance and/or appraisal of [the employee's job title] 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 by [the Council.
- d Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior employee (or other employees) shall contact the Chair of the Council or in his absence, the Vice-Chair of [the Council in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Council.
- e Subject to the Council's policy regarding the handling of grievance and disciplinary matters, if an informal or formal grievance matter raised by any Employee relates to the Chair or Vice-Chair of the Council this shall be communicated to another member of the Council and which shall be reported back and progressed by resolution of the full Council.

- f Any persons responsible for all or part of the management of Council employees shall keep written records of all meetings relating to their performance, and capabilities, grievance and disciplinary matters.
- g The Council shall keep written records relating to employees secure. All paper records shall be secured under lock and electronic records shall be password protected.
- h Records documenting reasons for an employee's absence due to ill health or details of a medical condition shall be made available only to those persons with responsibility for the same.
- i Only persons with line management responsibilities shall have access to employee records referred to in standing orders 26(g) and (h) above if so justified.
- j Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 26(g) and (h) above shall be provided only to the proper officer and the Chair of the Council.

27 Freedom of Information Act 2000

- a All requests for information held by the Council shall be processed in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000.
- b The Proper Officer to the Chair of the Council shall refer correspondence from, and notices served by, the Information Commissioner. The Council shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000 including exercising the powers of the Proper Officer in respect of Freedom of Information requests set out under standing order 3(b)(x) above.

28 Relations with the press/media

- a All requests from the press or other media for an oral or written

statement or comment from the Council shall be passed without comment to the Chair of the Council or (in his absence) the Vice-Chair in accordance with the Council's policy in respect of dealing with the press and/or other media.

- b In accordance with the Council's policy in respect to dealing with the press and/or other media, Councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media.

29 Liaison with District and County or Unitary Councillors

- a An invitation to attend a meeting of the Council shall be sent, together with the Agenda, to the Councillor of the District and County Council representing its electoral ward.

30 Financial matters

- a The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - i. the accounting records and systems of internal control;
 - ii. the assessment and management of financial 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 inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments;
 - v. procurement policies (subject to standing order 30(b) below) including the setting of values for different procedures according to contract value.
- b **Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of**

[£1500] shall be procured on the basis of a formal tender as summarised in standing order 30(c) below.

- c 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, Including required timescales for delivery;
 - 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 least one member of the Council;
 - v. tenders are then to be assessed and reported to the appropriate meeting of Council or Committee.
- d Neither the Council, nor any committee, is bound to accept the lowest tender, estimate or quote, but will be expected to accept the most economically advantageous tender if any is to be accepted.
- e **Where the value of a contract is likely to exceed £138,893 (or other threshold whether in pounds sterling or otherwise specified by the Office of Government Commerce from time to time) the Council must consider whether the Public Contracts Regulations 2006 (SI No.5, as amended) and the Utilities Contracts Regulations 2006 (SI No. 6, as amended) apply to the contract and, if either of those Regulations apply, the Council must comply with EU procurement rules.**

31 Allegations of breaches of the Code of Conduct

- a On receipt of a notification that there has been an alleged breach of the code of conduct the Proper Officer shall refer it to the appropriate person.
- b Where the notification relates to a complaint made by the Proper

Officer, the Proper Officer shall notify the Chair of the Council of that fact, who, upon receipt of such notification, shall nominate a person to assume the duties of the Proper Officer set out in the remainder of this standing order, who shall continue to act in respect of that matter as such until the complaint is resolved.

- c Where a notification relates to a complaint made by an employee (not being the Proper Officer) the Proper Officer shall ensure that the employee in question does not deal with any aspect of the complaint.
- d The subject matter of notifications shall be confidential and, insofar as it is possible to do so by law, the Council (including the Proper Officer and the Chair) shall take the steps set out below, together with other steps considered necessary, to maintain confidentiality.
 - i. Form a Committee to deal with the allegation(s).
 - ii. Draft the summonses and agendas in such a way that the identity and subject matter of the complaint are not disclosed.
 - iii. Ensure that any background papers containing the information set out in standing order 31(a) above are not made public.
 - iv. Ensure that the public and press are excluded from meetings as appropriate.
 - v. Ensure that the minutes of meetings preserve confidentiality.
 - vi. Consider any liaison that may be required with the person or body with statutory responsibility for the investigation of the matter.
- e Standing order 31(d) above should not be taken to prohibit the Council (whether through the Proper Officer or the Chair of the Conduct Committee) from disclosing information to members and officers of the Council or to other persons where such disclosure is necessary to deal with the complaint or is required by law.
- f The Conduct Committee shall have the power to:
 - i. seek documentary and other evidence from the person or body with statutory responsibility for investigation of the matter;
 - ii. seek and share information relevant to the complaint;
 - iii. grant the member involved a financial indemnity in respect of legal costs, which shall be in accordance with the law and subject to

approval by a meeting of the full Council.

- g References in standing order 31 to a notification shall be taken to refer to a communication of any kind, which relates to a breach or an alleged breach of the code of conduct by a councillor.

32 Variation, revocation and suspension of standing orders

- a Any or every part of these standing orders, except those which are mandatory by law, may be suspended by resolution in relation to any specific item of business.
- b A motion to permanently add to or to vary or to revoke one or more of the Council's standing orders not mandatory by law shall not be carried unless at least two-thirds of the councillors at a meeting of the Council vote in favour of the same.

33 Standing orders to be given to councillors

- a The Proper Officer shall, upon delivery of his/her declaration of acceptance of office, direct a new Councillor to the appropriate section of the Parish website which contains the current copy of the Council's Standing Orders.
- b The Chair's decision as to the application of standing orders at meetings shall be final.
- c A Councillor's failure to observe standing orders more than 3 times in one meeting may result in him being excluded from the meeting in accordance with standing orders.