

STANDING ORDERS

PREAMBLE

The following Standing Orders will be subject to Statutory and Common Law and where there is a conflict statutory and common law shall supersede standing orders in that order.

PART 1 MEETINGS

S.0.1. MEETINGS

1) ANNUAL MEETING

The Annual Meeting shall be convened as follows: -

- a) During the year of an ordinary Election; on or within 14 days after the date on which the Parish Councillors elected take office.
- b) During any other year the meeting shall be held on the first Tuesday in May or as the Parish Council may determine.
- c) Other meetings shall be held on the third Tuesday in the month or as the Parish Council may determine except in the months of August and December.

2) EXTRAORDINARY MEETINGS

- a) Extraordinary meetings shall be convened by the Chairperson at any time or on receipt of a requisition signed by five members of the Council.
- b) If the Chairperson refuses or fails to call an extraordinary meeting within seven days of receipt of the requisition, the Clerk on behalf of the five members shall forthwith call an extraordinary meeting of the Council.
- c) The requisition shall specify the business to be transacted at the extraordinary meeting and the summons shall set out that business and no other business shall be transacted at that meeting.

3) CONVENOR

The Chairperson or the Clerk shall convene meetings in accordance with the statutory provisions.

4) PLACE

Meetings shall be held at the Colnbrook Village Hall or other suitable locations in the area.

5) TIME

Meetings shall commence at 7.30pm unless the Council otherwise decide at a previous meeting.

STATUTORY ETC REFERENCES

Minute PC/95/118

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6) ADJUSTMENTS

The Chairperson, in consultation with the Clerk, may adjust the dates, place and time of meetings.

7) PUBLIC NOTICE

Public Notice of the time and place of meetings shall be given by a notice posted at the Colnbrook Village Hall three clear days before the meeting or, if the meeting is convened at shorter notice, then at the time it is convened.

S.0.2. COUNCIL SUMMONS, MINUTES AND REPORTS

The Clerk shall send to each Member of the Council: -

1) SUMMONS

- a) A summons not later than four clear days before the date of the meeting. (Excluding date of despatch and date of meeting).

2) MINUTES

- b) Of the last meeting (with the exception of Special Meetings where not applicable).
- c) Of Committees held since the Monday before the last Meeting of the Council up to and including the Monday immediately preceding the Council meetings.
- d) Of any Committee Meeting held subsequent to the Monday immediately preceding the Council Meeting if notice of the subject matter has been given in a Council summons and provided: -
 - i) The proceedings deal with such formal or procedural matters as the acceptance of tenders; or
 - ii) the subject concerned has already been approved by a policy decision of the Council; or
 - iii) there is, in the opinion of the Chairperson, sufficient time for the proceedings to be circulated in advance to enable Members to study the implications of the recommendations.

S.0.3. CHAIRPERSON

The Chairperson, Vice-Chairperson or Member of the Council as elected shall preside at Council Meetings and shall have all necessary statutory and Common Law powers.

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S.0.4. QUORUM

1) Numbers

A minimum of four Members shall be present at all times during proceedings.

2) Adjournment

In the absence of a quorum, the meeting shall be immediately adjourned and any remaining business postponed either to: -

- a) A time fixed by the Chairperson at the adjournment of subsequently.
- b) Or. If the Chairperson does not fix a time, the next ordinary meeting.

S.0.5. ORDER OF BUSINESS AND VARIATION

1) At the annual meeting the first business shall be

- a) To elect a Chairperson
- b) To appoint a Vice-Chairperson
- c) To appoint appropriate representatives to the Outside Bodies.
- d) To appoint any statutory or standing Committees.

2) The Order of Business at every meeting of the Council shall be: -

- a) To choose a Chairperson if the Chairperson and Vice Chairperson are absent.
- b) To deal with any business required by Statute to be done first.
- c) To approve as a correct record and sign the minutes of the last meeting of the Council.
- d) To deal with business expressly required by Statute.
- e) To receive and consider reports and minutes of Committees.
- f) To deal with business set out in the Agenda.
- g) To receive and consider reports from Officers of the Council.
- h) To authorise the signing and sealing of documents.
- i) To consider motions in the order in which they have received.

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- j) Any other business at the discretion of the Chairperson (within the competence of the Council).

3) Variations

- a) No variations shall be made as regard (a) to (d) above.
- b) The Chairperson may vary the order of business without discussion with the consent of Council.

S.0.6. COUNCIL MINUTES

- 1) The Chairperson may move 'That the Minutes of the Council held on (date) be signed as a true

record'.

2) Only the accuracy of the Council minutes may be raised.

S.0.7. MOTIONS WITHOUT NOTICE

The following motions may be moved without notice:-

- 1) appointment of a Chairperson of the meeting;
- 2) accepting recommendations of Committees;
- 3) variations of Agenda Items;
- 4) withdrawal of items of business;
- 5) that the questions be now put;
- 6) that the debate be adjourned;
- 7) that the Council be adjourned;
- 8) that the Council proceed to the next business;
- 9) reference back to a Committee;
- 10) appointments and nominations of Members for any purpose mentioned in the summons of the meeting;
- 11) adoption of reports and recommendations of Officers and any consequent resolutions;
- 12) that leave be given to withdraw any motion;
- 13) amendments to motion;
- 14) authorising the sealing of documents;
- 15) excluding the press and public;
- 16) that a Member named under Standing Order be not further heard or do leave the meeting;
- 17) inviting a member who has declared his pecuniary interest to remain;

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S.0.8. NOTICES OF MOTION

- 1) Except as provided by the Standing Orders, no proposition may be moved unless the mover and seconder have given notice in writing of its terms and have delivered the notice to the Clerk at least 10 clear working days before the meeting of the Council.
- 2) The Clerk shall insert in the summons of every meeting all notices of motion properly given in the order in which they have been received, unless the Members giving such notice have stated in writing that they intend to move the proposition at some later meeting or they subsequently give written notice withdrawing it.
- 3) If a proposition specified in the summons be not moved, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.
- 4) Every proposition shall be relevant to Council business or relating to business which affects the Parish.

S.0.9. RULES OF DEBATE

- 1) A motion or amendment shall not be discussed until it has been formally moved and seconded.
- 2) A Member when seconding a proposition or amendment may, if he or she then declares his or her intention to do so, reserve his or her speech until a later period of the debate.
- 3) An amendment shall be relevant to the motion and must either:-
 - a) refer the subject matter back for consideration or re-consideration; or
 - b) leave out words; or
 - c) add words; or
 - d) leave out words and add others;but omissions or additions shall not have the effect of:
 - i) introducing a new proposal; or
 - ii) negating the motion before the Council.
- 4) A Member may, without discussion, withdraw an amendment with permission of his or her seconder and of the Council. Unless this permission is refused, no Member may speak about the

amendment after the mover has asked permission to withdraw it.

5) Every amendment shall be discussed and voted upon before the original motion or motion as amended is voted upon.

6) Only one amendment may be moved and discussed at a time. No further amendment may be moved until the amendment under discussion has been dealt with.

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However, the Chairperson may allow two or more amendments to be discussed together, if he or she considers that this will help business to be dealt with more efficiently.

7) Every amendment must be voted upon separately.

8) If an amendment is carried, the amended motion takes the place of the original motion and becomes the motion upon which any further amendment may be moved by a Member. Any further amended shall be substantially different from any previously considered on the original motion.

However, if an amendment to refer the matter back for further consideration is approved no further amendment may be moved and the Council will proceed to the next business.

9) A mover of the proposition shall have a right of reply.

10) A Member shall only speak once on any motion except:-

- a) to move or speak to further amendments;
- b) to move that the Press and Public be excluded;
- c) to exercise a right of reply;
- d) on a point of order or by way of personal explanation.

Motions during a Debate

11) When a motion is under debate no other motion may be moved except to:-

- a) amend the motion;
- b) postpone consideration of the motion;
- c) adjourn the meeting;
- d) adjourn the debate;
- e) proceed to the next business;
- f) exclude the Press and Public;
- g) move that the question be now put;
- h) move that a Member is not further heard;
- i) move that a Member leave the meeting;

These motions may only be moved by Members who have not spoken on the motion under debate except in the case of a motion to exclude the Press and Public.

Ending a Debate

12) At the end of any speech, a Member who has not spoken on the motion may move:-

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- a) That the Council proceed to the next business.
- b) That the question be now put.
- c) That the debate or the meeting be adjourned.

If these motions are seconded, unless the Chairperson thinks that the matter merits more discussion, he or she will put the motion proposed to the vote without discussion.

Point of Order

13) A point of order is a request by a Member to the Chairperson for a ruling on any alleged irregularity in the constitution or conduct of the meeting.

A point of order shall be raised as soon as the alleged irregularity has occurred and the Member shall be immediately heard.

The ruling of the Chairperson on a point of order shall be final and is not open to discussion.

Point of Personal Explanation

14) In the event of a misstatement, misrepresentation or misunderstanding, a Member shall be entitled to correct the matter immediately. The ruling of the Chairperson on a point of explanation shall be final and is not open to discussion.

Procedure

15) A Member when speaking shall address the Chairperson. If more than one Member attempts to speak the Chairperson shall indicate the order of speakers.

S.0.10. CONDUCT

- 1) When the Chairperson stands during a debate any Member speaking at the time shall be silent.
- 2) If any Member persistently disregards the ruling of the Chairperson by behaving irregularly, improperly, offensively or obstructs Council business, the Chairperson or other Member may move "That the Member be not further heard" or "That the Member leave the meeting" and the motion seconded, shall be put to the vote without discussion.
- 3) If the Member continues to misbehave after a motion under paragraph (2) above has been carried or if there is a general disturbance preventing orderly business, the Chairperson may adjourn the meeting for as long as he or she considers necessary.

S.0.11. RESCINDING AN EARLIER RESOLUTION

1) A motion cannot be moved to rescind a Council decision made within the last six months except in the following circumstances:-

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- a) Notice of motion to do so signed by at least one third of all Members is received in accordance with Standing Order; or
 - b) It is a motion resulting from a recommendation of a Committee; or
 - c) When the decision is or becomes legally invalid.
- 2) A motion or amendment in similar terms to one which had been rejected in the last six months cannot be moved.

S.0.12. VOTING

a) Method

Voting is by show of hands and the numbers voting for or against will be announced at the time of the vote.

S.0.13. POWER TO RESOLVE INTO COMMITTEE

The Council may resolve itself into a Committee of the whole Council.

S.0.14. MOTIONS AFFECTING COUNCIL EMPLOYEES

- 1) Before any discussion on the appointment, promotion, dismissal, salary, conditions of service, or the conduct of a Council employee, the Chairperson shall move a motion that the Council shall resolve without discussion to exclude the Press and Public.
- 2) During discussion of the matter, the employee concerned, if present, shall immediately leave the meeting until the matter under consideration is settled.

S.0.15. ADMISSION OF PRESS AND PUBLIC

- 1) The Press and Public be admitted to all Council meetings, except when it is likely that confidential information within the meaning of section 100 (A), (3) and (4) of the Local Government Act 1972 (or any statutory amendment or re-enactment thereof for the time being in force) would be disclosed in which event the Council shall pass a resolution excluding the Press and Public from the whole or part of the meeting which shall state that in view of the nature of the business to be transacted or the nature of the proceedings there would be disclosure of them of exempt information.
- 2) If a Member of the Public interrupts the proceedings at any meeting, the Chairperson shall warn that person that if he or she continues to interrupt, the Chairperson may order his or her removal from the meeting. If there is a general disturbance, the Chairperson may order that the room be cleared of the public and may adjourn the meeting for as long as he or she considers necessary.

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S.0.16. PHOTOGRAPHS OR RECORDINGS OF PROCEEDINGS

1) Any person wishing to make pictorial or sound recordings of any proceedings of the Council should make it totally clear that they are doing so, for the benefit of councillor's and members of the public alike.

S.0.17. VARIATION AND CANCELLATION OF STANDING ORDERS

Except at the Annual Meeting of the Council, a motion to add to, vary or cancel any or all of these Standing Orders, when proposed and seconded, shall be adjourned without discussion to the next ordinary meeting.

S.0.18. EXPENDITURE

Orders for the payment of money shall be authorised by resolution of the Council and signed by any two of the following:-

- i) Chairperson of the Council
- ii) Vice-Chairperson
- iii) Chairperson of the Finance Committee
- iv) One of the above and any other Parish Council Member in the absence or inability to act of the other person's above- named.

S.0.19. SEALING OF DOCUMENTS

Any two Members of the Council may sign and seal, on behalf of the Council, any Documents required by Law to be issued under seal.

A Document shall not be signed and sealed on behalf of the Council unless its signing and sealing have been authorised by resolution.

S.0.20. APPOINTMENT OF COMMITTEE AND SUB-COMMITTEES

- 1) At the Annual Meeting or as soon as practicable thereafter the Council shall appoint Committees required by Statute or Standing Orders. At any time the Council may appoint such other Committees or Sub-Committees as necessary to carry out the work of the Council.
 - 2) The Standing Committees term of office shall run from the date of appointment to the next Annual Meeting of the Council.
 - 3) The Council may dissolve or change the Membership of a Committee at any time with the exception of the Management Committee.
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- 4) Each Committee shall at its first meeting before proceeding to any other business elect a Chairperson and Vice-Chairperson who shall hold Office until the next Annual Meeting of the Council.
 - 5) Every Committee may appoint Sub-Committees for purposes to be specified by the Committee but it shall not delegate its powers to a Sub-Committee.
 - 6) The Chairperson and Vice-Chairperson of the appointing Committee shall be members of every Sub-Committee unless they signify they do not wish to serve.
 - 7) Except where ordered by the Council in the case of the Committee or by the Council or the appropriate Committee in the case of a Sub-Committee, the quorum of a Committee or Sub-Committee shall be one third of its Membership.
 - 8) The Standing Orders on rules of debate and the Standing Orders on interests of Members in contract and other matters shall apply to Committee and Sub-Committee meetings in so far as they are appropriate.
 - 9) In the event of an equality of votes the Chairperson of Committees and Sub-Committees shall have a second or casting vote.
 - 10) Any Council Member shall, unless the Council otherwise orders, be entitled to be present as an observer at meetings of any Committee or Sub-Committee of which he or she is not a Member.
 - 11) The Council shall appoint all Members of the Council to be Standing Deputy Members of all Committees of which they are not Members.

12) A Member unable to attend a meeting of a Committee to which he/she is appointed may request a Standing Deputy Member to attend in his/her place providing the Clerk or Committee Chair shall be advised before the meeting starts when a Standing Deputy Member is acting in the capacity.

S.0.21. ACCOUNTS AND FINANCIAL STATEMENT

1) Except as provided in sub paragraph (2) of this Standing Order or by Statute, all accounts for payment and claims upon the Council shall be laid before the Council.

2) Where it is necessary to make a payment in respect of an account which has not need laid before Council, such payment shall be certified as to its correctness and urgency by the appropriate Officer. Unless it has been otherwise authorised by the Council, payment shall be authorised by the Committee, if any, having charge of the business to which it relates or by the Chairperson or Vice-Chairperson of the Council.

3) All payments authorised under sub-paragraph (2) of this Standing Order or made without authority of the Council under any Statute shall be separately included in the next schedule of payments laid before Council.

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S.0.22. DECLARATION OF INTEREST

1) As soon as possible at the beginning of a meeting, Members of the Council or of a Committee or Sub-Committee, or any Officer shall declare any pecuniary interest direct or indirect, in matters to be discussed. They must leave the meeting whilst the matter is being discussed, unless;

a) It is under consideration as part of a report, and is not itself the subject of debate; or

b) the Secretary of State for the Environment of the County Council has issued a dispensation allowing a Member or Members to discuss and/or vote on a particular matter; or

c) the Council, Committee or Sub-Committee invite him/her to remain; or

d) the Press and Public have not been excluded from the meeting in which case he/she shall sit in the public gallery.

2) Any Member who has a personal interest defined by the National Code of Local Government Conduct in any matter shall forthwith disclose that interest but may remain, speak and vote unless the interest is clear and substantial, in which case the Member shall withdraw from the room.

3) Involvement in the affairs of another public body or voluntary association etc., by a Member who has been appointed as a representative of the Council shall not in the absence of any other relevant considerations be construed as a clear and substantial interest. In that situation the Councillor should disclose the interest, but may remain and participate fully in the meeting.

S.0.23. REGISTER OF MEMBER'S INTERESTS

The Clerk shall keep a register of interests declared by Members. Members of the public may inspect the register during normal office hours, if they have first written to ask the Clerk, giving their reasons. The Clerk shall also keep a register of anyone making an inspection. This register shall also be open for public inspection during normal office hours.

S.0.24. INTERESTS OF OFFICERS IN CONTRACTS

Officers shall inform the Chairperson, in writing, if they or their spouses have any pecuniary interest direct or indirect in a contract. Members shall be advised of such interests as the Chairperson may direct.

S.0.25. ISSUING OF ORDERS AND INSPECTION OF PROPERTY

Unless specific authorised by the Council, a Committee or Sub Committee, a member of the Council may not:-

a) issue any order relating to work being done by or for the council; or

Local Government Act 1972.S 94-116 Local Government Act 1989 Sect 19 Local Authorities

(Members Interests) Regulations 1992.

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b) as a Council Member, claim any rights to enter or inspect any property where the Council have the right or duty to enter or inspect.

S.0.26. AUTHORITY TO CONTRACT OR NEGOTIATE

1) No Member shall enter either orally or in writing into any Contract on the Council's behalf.

2) No Member of the Council shall negotiate personally on behalf of the Council for the purchase or sale of any land, property, plant, rights or commodity or for any lease or tenancy. All such negotiations shall be conducted by an Officer authorised by the Council except that:-

a) at the request of the responsible Officer the Chairperson of the Council or appropriate Committee or Sub-Committee may attend any personal interview in the course of negotiations;

b) in matters of special importance the Council or Committee may instruct one or more of its Members, together with the Officers concerned, to conduct negotiations.

3) Within any authority delegated, a Committee or Sub-Committee may engage expert adviser to advise and negotiate on behalf of the Council.

S.0.27. COMPLIANCE WITH STANDING ORDERS ETC.

1) Every contract made by the Council, Committee, Sub-Committee, or Officer acting on their behalf shall comply with the E.C. Treaty and with any relevant directives of the E.C. for the time being in force in the United Kingdom and with these Standing Orders.

2) It shall be a condition of any Contract between the Council and any person who is not an Officer of the Council but who is required to supervise a Contract on their behalf that, in relation to such Contract, he/she shall comply with the requirements of the Standing Orders as if he/she were an Officer of the Council.

3) Subject to compliance with the appropriate statutory provisions, exception to these Standing Orders can only be allowed by:-

a) the Council; or

b) a Committee or Sub-Committee given delegated authority in that respect; or

c) a Committee or Sub-Committee in an emergency.

4) The Council shall be informed of the circumstances of every exception made by Committee or Sub-Committee.

5) A record of any exception made to these Standing Orders shall, if not made in the minutes of the Council, be made in the minutes of the Committee or Sub-Committee to which the matter is reported.

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S.0.28. INVITATION OF TENDER

a) Except in cases of emergency or unless directed by the Council no contract for the supply of goods or materials or for the execution of works whereof the estimated amount or value is of the sum of £500.00 or over shall be made unless Public Notice has been given stating the nature and purpose thereof and inviting tenders as follows:-

£1,000.00 - £5,000.00 – three written quotations.

£5,000.00 + - tender.

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

All Tenders, when received, will be kept unopened in the Council safe until they are opened in the presence of the Chairperson and Vice-Chairperson and the Clerk and Finance Officer.

S.0.29. ISSUE OF ORDERS

All orders on behalf of the Council and all orders in respect of anything done by the Council shall be issued by the Clerk.

S.0.30. CONSTITUTION OF STANDING COMMITTEES

1) The Standing Committees of the Council and their constitution shall be as follows:-

a) COMMITTEE NO. OF COUNCIL CO-OPTED MEMBERS MEMBERS

Services 6

Finance & Policy 6

2) The Chairperson and Vice-Chairperson of the Council shall be ex-officio members of every standing Committee without the power of voting unless otherwise appointed as a Member of the Committee.

3) Every Councillor should be given an opportunity to serve on a committee.

S.0.31. DECISIONS IN URGENCY

The Clerk in consultation with the Chairpersons of Council, Finance & Policy Committee and Services Committee or, in their absence, their respective Vice-Chairperson shall be authorised to take action upon matters which the Clerk considers cannot, due to reasons of urgency, wait until the next meeting of the Committee and/or Council an the case may be.

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S.0.32. RULES OF DEBATE

The proposer and seconder of a resolution may speak for up to FIVE minutes each and any other Member may speak for up to THREE minutes during any debate.

S.0.33. ATTENDANCE OF BOROUGH COUNCIL LEADER AND OFFICERS

The Leader of the Borough Council and Borough Council Officers may be invited to attend meetings as considered appropriate.

S.0.34. STANDING ORDERS TO BE GIVEN TO MEMBERS

A copy of these Standing Orders shall be given to each Member of the Council by the Clerk upon delivery to him/her of the Member's Declaration of Acceptance of Office.

S.0.35. SUSPENSION OF STANDING ORDERS

1) Any of these Standing Orders may be suspended with the consent of the Council for business at the meeting or part meeting at which the suspension is moved.

2) Except upon notice of motion, any motion to suspend Standing Orders shall not be moved without notice unless at least NINE of the Members are present. The motion shall be carried by at least SIX of those present.

S.0.36. NO SMOKING POLICY

Smoking will not be permitted at any meeting of the Council or it's Committees.

S.0.37. NATIONAL CODE OF CONDUCT

In addition to standing order 22 the Council has adopted the National Code of Conduct a copy of which shall be given to each Member of the Council by the Clerk upon delivery to him/her of the Member's Declaration of Acceptance of Office.

S.O.38. RACE RELATIONS (AMENDMENTS Act 2000)

The Parish Council will continue within its functions and policies to have due regard to the need to eliminate discrimination, promote equality of opportunity and promote racial equality between people of different racial groups.