

# STANDING ORDERS FOR GURNARD PARISH COUNCIL

## 1. MEETINGS

- 1.1. Full Council meetings shall be held in the main hall at Gurnard Primary School in Hilton Road at 7pm unless the council otherwise decides at a previous meeting or in exceptional circumstances. If all business is not completed within 2½ hours, it will be adjourned until the next meeting unless a resolution to suspend Standing Orders in this respect is carried.
- 1.2. **The Statutory Annual Meeting (a) in an election year shall be held on the 4<sup>th</sup> day after the date of the election or within fourteen days thereafter or (b) in a year which is not an election year, on the 2<sup>nd</sup> Tuesday in May.**
- 1.3. The other Full Council meetings shall be held on the second Tuesday of the month, except August.
- 1.4. Planning and other Committee meetings shall be held as required.

## 2. CHAIRMAN OF MEETING

- 2.1. **The person presiding at a meeting may exercise all powers and duties of the Chairman in relation to the conduct of the meeting.**
- 2.2. A Councillor's period of office as Chairman shall not exceed 3 consecutive years unless there are no other nominations at the Annual Meeting.

## 3. PROPER OFFICER

- 3.1. Where a statute, regulation or order confers functions or duties on the Proper Officer of the Council in the following cases, he or she shall be the Clerk:-
  - 3.1.1. To receive declarations of acceptance of office.
  - 3.1.2. To receive and record notices disclosing personal and prejudicial interests.
  - 3.1.3. To receive and retain plans and documents.
  - 3.1.4. To sign notices and other documents on behalf of the Council.
  - 3.1.5. To receive copies of bye-laws made by a District Council.
  - 3.1.6. To certify copies of bye-laws made by Council.
  - 3.1.7. To sign summonses to attend meetings of the Council.
- 3.2. In any other case the proper officer shall be the person nominated by the Council and, in default of nominations, the Clerk.

## 4. QUORUM

- 4.1. **Three members shall constitute a quorum.**
- 4.2. If a quorum is not present when the Council meets or if during a meeting the number of councillors present and not debarred by reason of declared prejudicial interest, falls below the quorum then the business not transacted at that meeting shall be postponed until the next meeting or on such day as the Chairman may fix.

## 5. VOTING

- 5.1. Members shall vote by show of hands or, if at least two members so request before the vote, by signed ballot.
- 5.2. **If a member so requires, the Clerk shall record the names of the members who vote on any question so as to show whether they voted for, against or abstained.**
  - 5.2.1. **Subject to (5.2.2) and (5.2.3) below the Chairman may give an original vote on any matter put to the vote, and in the case of an equality of votes may give a casting vote even though he gave no original vote.**
  - 5.2.2. **If the person presiding at the Annual Meeting would have ceased to be a member of the Council but for statutory provisions which preserve the membership of the Chairman and Vice-Chairman until the end of their term in office he/she may not give an original vote in an election for Chairman.**
  - 5.2.3. **The Person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.**

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## 6. ORDER OF BUSINESS

*(In an election year councillors should execute Declarations of Acceptance of Office in the presence of the Proper Officer previously authorised by the Council to take such declarations, **before the annual meeting commences.**)*

- 6.1. **At each Annual Meeting the order of business shall be**
  - 6.1.1. **To elect a Chairman.**
  - 6.1.2. **To receive the Chairman's declaration of Acceptance of office or, if not received, to decide when it shall be received.**
  - 6.1.3. **To decide when any declarations of acceptance of office, which have not been received as provided by law, shall be received.**
  - 6.1.4. To elect a Vice-Chairman.
  - 6.1.5. To review & approve Standing Orders
  - 6.1.6. To review & approve Financial Regulations
  - 6.1.7. To appoint an Internal Auditor and approve access
  - 6.1.8. To appoint a Planning Committee.
  - 6.1.9. To appoint other Committees if required
  - 6.1.10. To appoint representatives to other Bodies
- 6.2. **At every meeting other than the Annual Meeting the first business shall be to appoint a Chairman if the Chairman and Vice-Chairman be absent and to receive such declarations of acceptance of office (if any) as are required by law to be made, or if not then received to decide when they shall be received**
- 6.3. Each year, and before the meeting at which the budget for the next year is approved, the Council shall review the pay and conditions of service of existing employees *(See Standing Order 11 below.)*
- 6.4. After the first business has been considered (6.2), the order of business, unless the Council otherwise decides on the grounds of urgency, shall be as follows:-
  - 6.4.1. To read and consider the minutes: provided that if a copy has been circulated to each member not later than the day of issue of the summons to attend the meeting, the minutes may be taken as read.
  - 6.4.2. **Following a decision to approve the minutes, the signing of the minutes by the person presiding confirms them as a correct record.**
  - 6.4.3. **To deal with business expressly required by statute to be done.**
  - 6.4.4. To dispose of business, if any, remaining from the last meeting.
  - 6.4.5. To consider resolutions or recommendations and business in the order in which they have been notified in the summons & agenda *(see also 6.5 & 7.1.4).*
  - 6.4.6. To authorise the signing of orders for payment.
  - 6.4.7. To consider items for the next meeting
- 6.5. A motion to vary the order of business on the ground of urgency
  - 6.5.1. May be proposed by the Chairman or by any member and, if proposed by the Chairman, may be put to the vote without being seconded, and
  - 6.5.2. Shall be put to the vote without discussion.

## 7. RESOLUTIONS

- 7.1. Resolutions dealing with the following matters may be moved without notice:-
  - 7.1.1. To appoint a Chairman of the meeting.
  - 7.1.2. To correct the Minutes.
  - 7.1.3. To approve the Minutes.
  - 7.1.4. To alter the order of business.
  - 7.1.5. To proceed to the next business.
  - 7.1.6. To close or adjourn the debate.
  - 7.1.7. To refer the matter to a committee.
  - 7.1.8. To appoint a committee or any members thereof.
  - 7.1.9. To adopt a report.

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- 7.1.10. To amend a resolution.
- 7.1.11. To give leave to withdraw a resolution or an amendment,
- 7.1.12. To exclude the public.  
(See Standing Order 18.1 below.)
- 7.1.13. To silence or eject from the meeting a member named for misconduct.  
(See Standing Order 9 below.)
- 7.1.14. To give the consent of the Council where such consent is required by these Standing Orders.
- 7.1.15. To suspend any Standing Order.  
(See Standing Order 23.1 below.)
- 7.1.16. Resolutions of the Council shall not be reversed within 6 months except by special resolution (the written notice whereof bears the names of at least 4 members of the Council or Committee), unless the information upon which the resolution was made has fundamentally changed.

## 8. CORRECTIONS TO MINUTES

- 8.1. No discussion shall take place upon the minutes except their accuracy. Corrections to the minutes shall be made by resolution and must be initialled by the Chairman. Alternatively, the correction can be included in the minutes of the immediately following full Council meeting.

## 9. DISORDERLY CONDUCT

- 9.1. No member shall at a meeting persistently disregard the ruling of the Chairman, wilfully obstruct business, or behave irregularly, offensively, improperly or in such a manner as to scandalise the Council or bring it into contempt or ridicule.
- 9.2. If, in the opinion of the Chairman, a member has broken the provision of item (9.1) of this Order, the Chairman shall express the opinion to the Council and thereafter any member may move that the member named be no longer heard or that the member named do leave the meeting and the motion, if seconded, shall be put forthwith and without discussion.
- 9.3. If either of the motions mentioned in item (9.2) is disobeyed, the Chairman may suspend the meeting or take such further steps as may be reasonably necessary to enforce them.

## 10. VOTING ON APPOINTMENTS (INCLUDING CO-OPTION)

- 10.1. Where more than two persons have been nominated for any position to be filled by the Council and of the votes given there is not an absolute majority in favour of one person (ie: at least one more vote for one than all others), the name of the person(s) having the least number of votes shall be struck off the list and a fresh vote taken, and so on until a majority of votes is given in favour of one person.

## 11. DISCUSSIONS AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL

- 11.1. If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service of any person employed by the Council, it shall not be considered until the Council or Committee (as the case may be) has decided whether or not the public shall be excluded (See Standing Order 18.1.)

## 12. EXPENDITURE

- 12.1. **Authority for the payment of money and/or invoices shall be given by resolution of the Council, except for items purchased with the Petty Cash account.**
- 12.2. The details of Petty Cash expenditure will be given at each meeting.

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## 13. COMMITTEES AND SUB-COMMITTEES

- 13.1. The Council may at the Annual Meeting appoint standing committees and at any other time appoint such other committees as are necessary, but subject to any statutory provision in that behalf:-
- 13.1.1. Shall not appoint any member of a committee so as to hold office later than the Annual Meeting, and
- 13.1.2. May at any time dissolve or alter the membership of the committee.
- 13.2. The Chairman or Vice-Chairman shall be members of every committee.
- 13.3. Every committee shall, at its first meeting before moving to any other business, elect a Chairman and may elect a Vice-Chairman who shall both hold office until the next Annual Meeting of the Council.
- 13.4. The Chairman of a committee or the Chairman of the Council may summon an additional meeting of that committee at any time. An additional meeting shall also be summoned on the requisition in writing of no less than a quarter of the members of the committee. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.
- 13.5. Every Committee may appoint Sub-Committees for purposes to be specified by the committee.
- 13.6. The Chairman and Vice-Chairman of the Committee shall be members of every Sub-Committee appointed by it, unless they signify that they do not wish to serve.
- 13.7. Except where ordered by the Council in the case of a Committee, or by the Council or by the appropriate Committee in the case of a Sub-Committee, the quorum of a Committee or Sub-Committee shall be 3.
- 13.8. Minutes of all Committee meetings will be kept and made available to the Council.

## 14. VOTING IN COMMITTEES

- 14.1. Members of Committees and Sub-Committees shall vote by show of hands or, if at least two members so request, by signed ballot.
- 14.2. Chairmen of committees and sub-committees shall in the case of an equality of votes have a second or casting vote.**

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

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

## 16. INTERESTS

- 16.1. If any member has a prejudicial interest within the meaning of Statutory Instrument 1159 (Model Code of Conduct Order 2007) in any item to be discussed he/she shall, while it is under consideration by the Council, withdraw from the meeting unless:-
- 16.1.1. The disability imposed upon him/her by those sections has been removed by the Isle of Wight Council or
- 16.1.2. The matter to be discussed forms part of a report of a Parish Council Committee and is not itself the subject of debate.
- 16.1.3. Section 18.7 of these Standing Orders applies
- 16.2. **The Clerk shall record in a book kept for the purpose, particulars of any notice given by any member or any officer of the Council of any declared interest, and the book shall be made available during reasonable hours of the day for the inspection by any member.**

## 17. INSPECTION OF DOCUMENTS

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

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17.2. **All Minutes kept by the Council and by any Committee shall be made available for the inspection by any member of the Council.**

## **18. ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS**

18.1. **The public and press shall be admitted to all meetings of the Council, its Committees and Sub-Committees. The Council may, however, temporarily exclude the public** by means of the following resolution:

“That in accordance with Section 1 (2) of the Public Bodies (Admission to Meetings) Act of 1960 the Public and Press will be excluded from the following item, having due regard to the confidential nature of the business to be discussed.”

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

18.3. Any member of the public wishing to make representation to the council, on an agenda item which is considered to be the business of this council, may speak at a council meeting before and during the discussion for a period not exceeding 5 minutes prior to the Council or Committee making its decision. Members of the Council will then be allowed, at the discretion of the Chairman, to ask questions to the member of the public.

18.4. Where a group of members of the public wishes to make representation on an item which is considered to be the business of this council, and is listed on the agenda, they will be required to nominate a representative, from among themselves, to speak for a maximum of 5 minutes to express the views of the group.

18.5. The Chairman reserves the right to limit the number of speakers on any given item of business and his/her decision will be final.

18.6. If, after speaking for the allotted time, any member of the public or group persistently interrupts and does not usefully contribute to the debate; the Chair, after due warning to that person/s, may order that they be removed from the meeting and may adjourn the meeting for such a period as is necessary to restore order.

18.7. Any Member of the Council, with a prejudicial interest in any item before the council, will be entitled to attend the meeting to make representation, give evidence or answer questions in the same way as any member of the public and under the same constraints laid down by the council in these standing orders, before leaving the council chamber.

## **19. CONFIDENTIAL BUSINESS**

19.1. No member of the Council, or of any committee or sub-committee, shall disclose to any person not a member of the Council any business declared to be confidential by the Council, the committee or the sub-committee as the case may be.

19.2. Any member in breach of the provision of item (19.1) of this Standing Order shall be removed from any committee or sub-committee of the Council by the Council.

## **20. LIAISON WITH DISTRICT COUNCILLORS**

20.1. Agendas of Full Council and Committee meetings shall be sent, together with supporting papers, to the IW Councillor for Gurnard.

## **21. PLANNING APPLICATIONS**

21.1. The Clerk shall, as soon as it is received, enter in a book kept for the purpose the following particulars of every planning application notified to the Council.

21.1.1. The date on which it was received:

21.1.2. The place to which it relates:

21.1.3. a summary of the nature of the application

21.2. The Clerk shall give the details of every planning application to the Chairman, or in the Chairman's absence to the Vice-Chairman, before the meeting at which it will be considered.

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## 22. CODE OF CONDUCT ON COMPLAINTS

22.1. The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or member in the manner as recommended in the Parish Council's Code of Practice for dealing with complaints, adopted on 14<sup>th</sup> October 2003.

## 23. VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

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

23.2. A resolution permanently to add, vary or revoke a Standing Order shall when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

## 24. DELEGATED POWERS

24.1. Delegated powers are given to the Planning Committee to make decisions on planning applications, which require comment between Full Council meetings.

24.2. Where emergency action is required in between meetings the Chairman (or Vice-Chairman in the Chairman's absence) and the Clerk, in consultation with 2 other Parish Councillors, are empowered to take appropriate action on the Parish Council's behalf, subject to this action being confirmed at the next Parish Council meeting.

24.3. Delegated powers are given to the Clerk, where there is no monthly Parish Council meeting, to pay wages due to employees as they become due provided the procedures for making payment as laid down in Financial Regulations are adhered to, and confirmation of payment is approved at a subsequent meeting. (*see also section 6.3 of Financial Regulations*)

## 25. STANDING ORDERS TO BE GIVEN TO MEMBERS

25.1. A copy of these Standing Orders shall be given to each member by the Clerk.

Adopted 7<sup>th</sup> June 2005.

Reviewed and amended 11<sup>th</sup> April 2006

Reviewed and amended 12<sup>th</sup> June 2007

Reviewed and amended 11<sup>th</sup> September 2007

Reviewed and amended 13<sup>th</sup> November 2007

Reviewed and amended 13<sup>th</sup> May 2008

Reviewed 9<sup>th</sup> June 2009