

SEDLESCOMBE PARISH COUNCIL

STANDING ORDERS

AMENDED MARCH 2017



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Standing orders that are in bold type contain statutory requirements

1. Meetings

- 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.**
- b. **When calculating the 3 clear days for notice of a meeting to councillors and the public, 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.**
- 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 the Chairman's discretion, members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included in the agenda of any council or committee meeting.
- e. Unless the Chairman specifies otherwise, each member of the public will be limited to two minutes to make representations and the total time for such representations by members of the public shall not exceed twelve minutes in respect of each item.
- f. Where the item concerns a planning or licensing application, the rule in paragraph 1(e) is modified to allow objectors two minutes each subject to an overall limit of six minutes, applicants and supporters two minutes each subject to an overall limit of six minutes.
- g. A question asked by a member of the public during a public participation session at a meeting shall not require a response or debate and members should not enter into debate with members of the public.
- h. The Chairman may direct that a response to a question posed by a member of the public be referred to a Councillor present at the meeting or ask an employee to respond in writing.
- i. A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- j. A person shall raise his hand when requesting to speak.
- k. Any person speaking at a meeting shall address his comments to the Chairman.
- l. Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chairman shall direct the order of speaking.
- m. **Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's prior written consent.**
- n. In accordance with standing order 1(c) above, **the press shall be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**
- o. **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman may in his absence be done by, to or before the Vice-Chairman (if any).**
- p. **The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.**
- q. **Subject to standing order 1 s (iii) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon. Provided that a quorum is present, it is immaterial that a quorum of members takes part in the voting.**
- r. **The chairman may give an original vote on any matter put to the vote and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote.**
- s. **Unless standing orders provide otherwise, voting on any question, shall normally be by a show of hands. On occasions, there may be a need for a closed paper ballot. 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.**

- t. The minutes of a meeting shall include an accurate record of the following:
 - i. the time and place of the meeting;
 - ii. the names of councillors present and absent;
 - iii. interests that have been declared by councillors;
 - iv. whether a councillor left the meeting when matters that they held interests in were being considered;
 - v. if there was a public participation session; and
 - vi. the resolutions made.
- u. **A councillor who has a disclosable pecuniary interest or another interest as set out in the council's code of conduct in a matter being considered at a meeting is subject to statutory limitations/restrictions under the code on his right to participate and vote on that matter.**
- v. Whenever a Councillor expects to be absent from a meeting he must notify the Clerk and give the reason for absence.
- w. If a Councillor is absent from meetings for a period of 6 consecutive months, he shall be disqualified unless his failure is due to a reason approved by the council or the absence is due to Council business.
- x. **No business may be transacted at a meeting unless at least one third of the whole number of members of the council are present and in no case shall the quorum of a meeting be less than 3.**
- y. **If a meeting is or becomes inquorate, no business shall be transacted** and the meeting shall be adjourned. The business on the agenda shall be adjourned to another meeting.
- z. Meetings shall not exceed a period of 2.5 hours.

2. Disorderly Conduct

- a. No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the Chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- b. If, in the opinion of the Chairman, there has been a breach of standing order 2(a) above, the Chairman shall express that opinion and thereafter any councillor (including the Chairman) 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 2(b) above, is disobeyed, the Chairman may take such further steps as may reasonably be necessary to enforce it and/or he may adjourn the meeting.

3. Ordinary Council Meetings

- a. **In an election year, the annual meeting of the Council must take place on the day when councillors take office, or within 14 days thereafter.**
- b. **In a year which is not an election year, the annual meeting of a Council shall be held on such day in May as the Council may direct.**
- c. **If no other time is fixed, the annual meeting of the Council shall take place at 6pm.**
- d. **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council directs.**
- e. **The election of the Chairman and Vice-Chairman of the Council shall be the first business completed at the annual meeting of the Council.**
- f. **The Chairman 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-Chairman of the Council, if any, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.**

- h. **In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he shall preside at the meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman 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 Chairman of the Council has been re-elected as a member of the Council, he shall preside at the meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and must give a casting vote in the case of an equality of votes.**
- j. Following the election of the Chairman of the Council and Vice-Chairman of the Council at the annual meeting of the Council, the order of business shall be as follows.
 - i. **In an election year, delivery by the Chairman of the Council and councillors of their acceptance of office forms unless the council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council of his acceptance of office form unless the council resolves for this to be done at a later date;**
 - 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. To delegate to the relevant committees, a review of their terms of references.
 - v. Consideration of nominations to existing committees.
 - vi. Appointment of any new committees, the number of members and receipt of nominations to them.
 - vii. Review and adoption of appropriate standing orders, financial regulations and parish council policies already adopted.
 - viii. Review of the need to obtain the power of general competence or, as appropriate, to re-affirm eligibility in the year of elections.
 - ix. Review of inventory of land and assets including buildings and office equipment - to be referred to the Finance Executive Committee.
 - x. Review and confirmation of arrangements for insurance cover in respect of all insured risks - to be referred to the Finance Executive Committee.
 - xi. Review of the Council's and/or employees' memberships of other bodies.
 - xii. Establishing or reviewing the Council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998.
 - xiii. Establishing or reviewing the Council's policy for dealing with the press/media.
 - xiv. Setting the dates, times and place of ordinary meetings of the full Council for the year ahead.
 - xv. Consider the payment of any subscriptions falling to be paid annually.

4. Extraordinary Meetings

- a. **The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
- b. **If the Chairman of the Council does not or refuses to call an extraordinary meeting of the Council within 7 days of having been requested to do so by two councillors, those two councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two councillors.**
- c. The Chairman of a committee (or a sub-committee) may convene an extraordinary meeting of the committee or sub-committee at any time.
- d. If the Chairman of a committee (or a sub-committee) does not or refuses to call an extraordinary meeting within 7 days of having been requested by to do so by two members of the committee (or

sub-committee), any two members of the committee (and the sub-committee) may convene an extraordinary meeting of a committee (and a sub-committee).

5. Proper Officer

- a. The Council's Proper Officer shall be either (i) the clerk or such other employee as may be nominated by the Council from time to time or (ii) such other employee appointed by the Council to undertake the role of the Proper Officer during the Proper Officer's absence. The Proper Officer and the employee 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. **Sign and serve on councillors by delivery, post (or delivery receipt email) summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee and sub-committee at least 3 clear days before the meeting.**

OR

By email if there is insufficient time to meet 3 clear days before a meeting by the normal method of delivery or post at their residences. Any such email to be by delivery receipt.

- ii. **Give public notice of the time, date, venue and agenda at least 3 clear 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 5(a)–(e) below, include in the agenda all motions in the order received unless a councillor has given written notice at least 10 days before the meeting confirming his withdrawal of it.
- iv. **Convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office,** in accordance with standing order [5(b)i] and [5(b)ii] above.
- v. Make available for inspection the minutes of meetings.
- 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 to be signed by 2 councillors and witnessed.
- 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. Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.

6. Responsible Financial Officer

- a. **The Council shall appoint appropriate staff member(s) to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.**

7. Code of Conduct and Dispensations

- a. All councillors shall observe the code of conduct adopted by the Council.
- b. All councillors must undertake training, if available, in the code of conduct within 6 months of the delivery of their declaration of acceptance of office.
- c. Unless he has been granted a dispensation, a councillor shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.
- d. Unless he has been granted a dispensation, a councillor shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the council's code of conduct. He may return to the meeting after it has considered the matter in which he had the interest.
- e. **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- f. A decision as to whether to grant a dispensation shall be made by the Proper Officer [or by a meeting of the council, or committee or sub-committee for which the dispensation is required] and that decision is final.
- g. A dispensation request shall confirm:
 - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - iv. an explanation as to why the dispensation is sought.
- h. Subject to standing orders 7(e) and (g) above, dispensations requests shall be considered [by the Proper Officer before the meeting or, if this is not possible, at the
- i. start of the meeting for which the dispensation is required] OR [at the beginning of the meeting of the council, or committee or a sub-committee for which the dispensation is required].
- j. **A dispensation may be granted in accordance with standing order 7(f) above if having regard to all relevant circumstances the following applies:**
 - i. **without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business or**
 - ii. **granting the dispensation is in the interests of persons living in the council's area or**
 - iii. **it is otherwise appropriate to grant a dispensation.**

If dispensation is granted, the period for which it has effect must be specified up to a maximum of four years.

8. Questions

- a. A councillor may seek an answer to a question concerning any business of the Council provided 7 clear days notice of the question has been given to the Proper Officer.
- 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 without discussion.

9. Allegations of breaches of the Code of Conduct

- a. Upon notification by the District or Unitary Council that a councillor or non-councillor with voting rights has breached the council's code of conduct, the council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.
- b. Notifications from the Rother Monitoring Officer of an alleged breach of the code of conduct shall be made to the Proper Officer of the Parish Council.
- c. The Chairman, or Vice-Chairman, will be provided with the information by the Proper Officer.
- d. The Proper Officer will provide as much information and evidence to the Monitoring Officer as is required to help with consideration of the allegation
- e. No further action will be taken to inform the Parish Council unless exceptional circumstances requires this to be done when the matter will be placed before a special extraordinary meeting of the Parish Council, the agenda and minutes of which will remain confidential until the result of the investigation is announced by Rother District Council.
- f. No comment will be made to the media either before, during or after the inquiry is completed.
- g. On completion of the allegations investigation by Rother District Council, the Parish Council will consider whether changes to its methods of working are required in order to reduce the possibility of an allegation being made about a Sedlescombe parish councillor.

10. Motions requiring written notice

- a. A motion must be in writing, specific and concise and should not deal with more than one subject.
- b. If a Councillor wishes a motion to be included in the agenda at the next meeting, the mover should give written notice of its wording to the Proper Officer at least 14 clear days before the next meeting.
- c. The Proper Officer may, before including a motion on the agenda received in accordance with Standing Order 9(b) above, correct any obvious grammatical or typographical errors in the wording of the motion.
- d. If the Proper Officer considers the wording of a motion is not clear in its meaning, the motion will be rejected and the mover asked to resubmit it in writing to the Proper Officer, clearly and precisely, at least 7 clear days before the meeting.
- e. If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Chairman 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.
- f. Having consulted the Chairman or councillors in accordance with 5(e) above, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.
- g. 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 Chairman may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.
- h. A motion or amendment shall not be discussed unless it has been proposed, and unless proper notice has already been given, it shall if required by the Chairman, be reduced to writing and handed to him before it is further discussed or put to the meeting.
- i. Any amendment to a motion shall be either:
 - a. to leave out words;
 - b. to add words;
 - c. to leave out words and add other words.
- j. Any amendment must not make the motion before the council negative.
- k. If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the motion upon which any further amendment may be moved.
- l. A further amendment shall not be moved until the council has disposed of every amendment previously moved.

- m. The Chairman shall first be satisfied that the motion has been sufficiently debated before it is seconded and put to the vote.
- n. 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.

11. Motions not requiring written notice

- a. **Motions in respect of the following matters may be moved without written notice.**
 - i. **To appoint a Chairman for the meeting.**
 - ii. **To correct an inaccuracy in the minutes of the previous meeting.**
 - iii. **To alter the order of business on the agenda for reasons of urgency or expedience.**
 - iv. **To proceed to the next business on the agenda.**
 - v. **To close or adjourn debate.**
 - vi. **To refer a matter to a committee or to a sub-committee or an employee.**
 - vii. **To appoint a committee or sub-committee or any councillors (including substitutes) thereto.**
 - viii. **To receive nominations to a committee or sub-committee.**
 - ix. **To dissolve a committee or sub-committee.**
 - x. **To note the minutes of a meeting of a committee or sub-committee.**
 - xi. **To consider a report and/or recommendations made by a committee or a sub-committee or an employee.**
 - xii. **To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.**
 - xiii. **To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.**
 - xiv. **To extend the time limit for speeches.**
 - xv. **To exclude the press and public for all or part of a meeting.**
 - xvi. **To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.**
 - xvii. **To give the consent of the Council if such consent is required by standing orders.**
 - xviii. **To suspend any standing order except those which are mandatory by law.**
 - xix. **To adjourn the meeting.**
 - xx. **To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.**
 - xxi. **To answer questions from councillors.**
- 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 may be made to that committee unless the Chairman directs it to be dealt with at the current meeting for reasons of urgency or expedience.**

12. Rules of debate

- a. No discussion shall take place upon the Minutes except upon their accuracy.
- b. A member shall signal a wish to speak by raising his hand. The Chairman shall decide the order of speaking if more than one member signals.
- c. Motions included in an agenda will be considered in the order they appear on the agenda unless changed by the Chairman for reasons of expedience.
- d. Subject to standing order (5), a motion will not be considered unless it has been proposed and seconded.
- e. If a motion combining more than one subject is moved, the Chairman will ask the mover to separate the component parts and move them one by one.

- f. The contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 5 minutes, except by consent of the Chairman.
- g. 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.
- h. A point of order shall be decided by the Chairman and his decision shall be final.
- i. Subject to standing order 10(d) above, a motion included in an agenda not moved by the councillor who tabled it, may be treated as withdrawn.
- j. 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.
- k. Amendments to resolutions are to insert, alter or omit words in the resolution under discussion.
- l. Any amendment should be put to the vote first
- m. If there is more than one amendment, a vote should be taken on each one as they are proposed.
- n. If an amendment is not carried, other amendments will be moved in the order directed by the Chairman.
- o. The Chairman will ensure that the motion has been sufficiently debated before it is seconded and put to the vote. The Chairman will call upon the mover of the motion to exercise or waive his right of reply before putting the motion to the vote.
- p. Once all amendments have been dealt with, a vote on the original resolution including any amendments, will be taken.
- q. Where any amendments to an original motion are carried, the mover of the original motion shall have a right of reply at the end of debate on the final substantive motion immediately before it is put to the vote.

13. Rescission of previous resolutions

- a. A resolution ((whether affirmative or negative) 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 three 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 10(a) above has been disposed of, no similar motion may be moved within a further 6 months.

14. 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 Chairman's casting vote.**

15. 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 11 (a)(ii) above.
- c. Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the Chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.

- d. If the Chairman 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 Chairman of this meeting does not believe that the minutes of the meeting of the () held on [date] in respect of () were a correct record but his view was not upheld by the majority of the () 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 be destroyed.

16. Expenditure

- a. “Proper Practices” in standing orders refer to the most recent version of Governance and Accountability for Local Councils – a Practitioners’ Guide (England).
- b. Any expenditure incurred by the Council shall be in accordance with the Council’s financial regulations.
- c. The Council’s financial regulations shall be reviewed once a year.
- d. **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.**

17. 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 November.

18. 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. See Financial Matters

19. Committees

- 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 request the committees prepare a first draft of their terms of reference for agreement at Full Council.
 - 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 in accordance with standing orders, dissolve a committee at any time;
 - v. all members of the Finance Committee must be Council members;
 - vi. **every Committee may appoint sub-committees for purposes specified by the Committee;**
the Chairman of the Committee shall be a member of every sub-committee appointed by it unless he signifies he does not wish to serve.

20. Advisory Committees

- 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.

21. Canvassing of recommendations by councillors

- a. Candidates for a position on the council must not canvass councillors or the members of a committee or sub-committee, directly or indirectly; doing so shall disqualify the candidate from such an appointment.
- 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. Execution and sealing of legal deeds

- 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 22a 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.**

23. 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 shall be available for inspection by councillors and the general public.

24. Unauthorised activities

- a. The Council must always act as a corporate body. Members, including the Chairman, have no individual authority.
- b. 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.
- c. When representing the Council, express only the agreed view of the Council and as soon as reasonably practicable, report back any matters raised to the Clerk and the Council.
- d. Where members engage in informal conversation with an individual or group they must take care to differentiate clearly between views which are the agreed policy of the Council and those which are their own personal views.
- e. All correspondence must be on Sedlescombe Parish Council headed paper and sent from the Clerks

25. Confidential business

- a. Councillors shall not disclose information given in confidence or sensitive information which for special reasons would not be in the public interest.
- b. A councillor in breach of the provisions of standing order 25(a) above may be removed from a committee or a sub-committee by a resolution of the Council.

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 Committee has decided whether or not the press or public shall be excluded.
- b. The Proper Officer shall notify the Parish Council of any absence occasioned by illness or urgency.
- c. The Parish Council shall arrange for annual staff appraisals to be conducted by at least 2 people.
- d. Subject to the Council's policy regarding the handling of grievance matters or complaints, the Council's Proper Officer shall contact the Chairman of the Parish Council or in his absence, the Vice-Chairman of the Parish Council in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Parish Council.
- e. 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.
- f. 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.
- g. 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.
- h. Only persons with line management responsibilities shall have access to employee records referred to in standing orders 26(f) and (g) above if so justified.
- i. Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 26(f) and (g) above shall be provided only to the Proper Officer and the Chairman of the Parish Council.

27. Power of well-being

- 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 19 (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 19(b) above.

28. 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 and Data Protection Acts 1998.

29. 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 processed 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.

30. Liaison with District and County 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 representing its electoral ward.
- b. Unless the Council otherwise orders, a copy of each letter sent to the District or County shall be sent to the District or County councillor representing its electoral ward.

31. 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
 - iv. the Internal Auditor, which shall be required at least annually;
 - v. the inspection and copying by councillors and local electors of the
 - vi. Council's accounts and/or orders of payments;
 - vii. procurement policies including the setting of values for different procedures.
- b. **Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £1,000 shall be procured on the basis of a formal tender as summarised in the Financial Instructions.**
- c. Any formal tender process is detailed in the Financial Regulations
- d. Neither the Council, nor any committee, is bound to accept the lowest tender, estimate or quote.
- e. **Where the value of a contract is likely to exceed the threshold 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.**

32. Standing Orders to be given to Councillors

- a. The Proper Officer shall provide a copy of the Council's Standing Orders to a councillor upon delivery of his Declaration of Acceptance of Office.
- b. The Chairman'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.

33. Use of Council Equipment

- a. Unauthorised use of Council equipment by Councillors or members of the public is forbidden

34. Co-opting for Casual Vacancies

- a. When a casual vacancy arises the Council must declare the vacancy within two weeks and the public notified in the usual manner by means of Parish Notice Boards and website. Such notification will request the submission of candidates within four weeks of the notification date.
- b. If a poll is requested by ten electors, then a by-election by nomination and poll will take place within 60 days of the notification of the vacancy.
- c. Such a poll must be claimed within 14 days of the public notification of the vacancy (excluding weekends, Christmas Eve and Day, Maundy Thursday, Good Friday, Bank Holidays and any day of Public Thanksgiving or Mourning).

- d. Such a poll cannot be claimed if the period left to be served by the Councillor is less than six months.
- e. If no poll is claimed in time the Council will fill the vacancy by co-option as soon as practicable after the end of the four week period.
- f. When voting, in Council, for co-opting a councillor a successful candidate must have an absolute majority of votes of those present and voting. In the case of more than two candidates for an office then the candidate with the lowest number of votes will be struck off and the process repeated until an absolute majority is obtained.
- g. Where the number of candidates is equal to the number of vacancies then the vacancies may be filled by means of a simple resolution. If the number of candidates exceeds the number of vacancies then each vacancy will be filled by a separate vote of series of votes.

35. Variation/revocation/suspension of standing orders

- a. Any or every part of the 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 two-thirds of the councillors at a meeting of the Council vote in favour of the same.

This set of Standing Orders was amended by the Council at the meeting on **28th FEBRUARY 2017**

GENERAL RULES GOVERNING PARISH COUNCIL COMMITTEES

The following rules apply to the Committees of Local Councils (Local Government & Housing Act 1989 Section 13)

Committees and Sub-Committees (other than purely Advisory), Joint Committees

Membership: Councillors and Others.

No restriction on numbers on Committee or number of non-councillor members.

Voting: Only Councillors

Chairman and any Person Presiding: Must be a Councillor

Purely Advisory Committees and Sub-committees

Membership: Councillors and Others.

No restriction on numbers on committee or number of non-councillor members. May be wholly composed of non-councillors.

Voting: All members of the committee or sub-committee.

Chairman or Any Person Presiding: Any member of the committee or sub-committee

Co-opted Members are non-voting and they will not, therefore, be required to sign the Members' Code of Conduct

All meetings of Council, Committee and Sub-Committees will be advertised and open to the press and public. The public will, at the discretion of the Chairman, be allowed to speak regarding matters on the agenda

DEFINITIONS

1. **CHAIRMAN:** means, unless the context indicates otherwise, the Chairman of the Parish Council; but any power or duty assigned to a Chairman in relation to the conduct of any meeting may be exercised by the person presiding at such meeting.
2. **PROPER OFFICER:** means the officer of the Council designated as such.
3. **CODE OF CONDUCT FOR MEMBERS:** The Council's Code of Conduct was adopted July 2012. All Councillors must be in possession of a copy.
4. **DISCLOSABLE PECUNIARY INTEREST (DPI):** A full definition of DPI's can be found in Appendix A of the Council's Code of Conduct for Members. Councillors are required by law to complete and submit a form detailing their DPI's. The form must be completed within 28 days of election or appointment as a member. Any change to DPI's must be registered within 28 days of becoming aware of it. Failure to complete the form, omit information or provide false or misleading information will usually be a criminal offence as will taking part in any business of your council in which you have a DPI unless a dispensation applies.
5. **PERSONAL INTERESTS:** A full definition of personal interests can be found in Appendix B of the Council's Code of Conduct for Members. Councillors are required to complete and submit a form detailing their Personal Interests. The form must be completed within 28 days of election or appointment as a member. Any change to Personal Interests must be registered within 28 days of becoming aware of it. Failure to disclose, or take part in the business of the Council, when one has a personal interest will be a breach of the Code unless a dispensation applies.
6. **RESOLUTIONS:** A proposal of the action intended to be taken. A resolution will normally be followed by a vote to agree or reject the resolution.
7. **POINTS OF ORDER:** Relate to procedure only and take precedence of all other business and it is the duty of the Chairman to deal with them. They are concerned solely with the legality of an item of business or powers available to the Council.
8. **PROCEDURAL RESOLUTIONS:** should normally be put without discussion. The normal exceptions are to correct minutes, alter the order of business and refer to a committee.
9. **ANY OTHER BUSINESS:** The summons to a Council meeting must by law specify the business to be transacted, therefore the Council cannot take action under this heading as the business has not been specified. This heading can only be used for the exchange of information or the notification of business for the next meeting.
10. **URGENT BUSINESS:** The law makes no provision for "Urgent Business". If it is urgent because it was not notified in time then it should be left to the next meeting. If it is genuinely urgent, that is it was too late for the agenda and it will be too late for action if left to the next meeting, then an extraordinary meeting should be called. Rules relating to this are covered in Standing Order 18.
11. **ANNUAL MEETING:** Reference to an Annual Meeting in Standing Orders refers to the statutory meeting of the Council, this should not be confused with the statutory requirement for an "Annual Parish Meeting" at which the Council reports to the parishioners on its work during the previous year and is open to any questions by the parishioners on that report.
12. **EXECUTIVE COMMITTEE:** A committee which is empowered to carry out duties given to it by the Council and normally provided with a budget for its financial requirements.
13. **CASUAL VACANCY:** A casual vacancy is deemed to have occurred when a local councillor:
fails to make his declaration of acceptance of office within the proper time, delivers his resignation from office in writing, dies, is disqualified by a conviction or order under Part VII of the Act of 1972. has his election declared void, ceases to be qualified, is persistently absent from meetings for a period of six consecutive months. The process for filling such a vacancy is covered by Standing Order 35.
14. **ATTENDANCE:** Standing Orders 1(v and w) states the requirement for attendance and the need to explain absences. The six month rule as stated is part of the Local Government Act 1972 which allows for absence with a statutory reason as well as Council business. The Council will always take into account chronic health conditions, but it is assumed if this is the reason for absence then the Councillor will consider their position in terms of a continuing commitment to the Parish.