



# **ASHURST WOOD VILLAGE COUNCIL**

## **STANDING ORDERS**

**JULY 2020**

## ASHURST WOOD VILLAGE COUNCIL STANDING ORDERS

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# ASHURST WOOD VILLAGE COUNCIL STANDING ORDERS

## INTRODUCTION

Standing Orders are the written rules of the Village Council. They cover the administration of the Council, how it conducts its business and the procedure to be followed at meetings.

Local councils operate within a wide statutory framework. Standing Orders in bold type are laid down in Acts of Parliament and Regulations. Other Standing Orders are designed in order to help the Council operate effectively.

Standing Orders are regularly revised and updated to reflect legislative amendments and the changing needs of the Council.

These Standing Orders are based on the Model Standing Orders 2018 produced by the National Association of Local Councils (NALC), which have been adapted where appropriate to suit the Council's circumstances.

The Council's Financial Regulations contain Standing Orders to regulate and control the financial affairs and accounting procedures of the Council. They include procurement procedures and the duties of the Responsible Financial Officer. The Standing Orders and Financial Regulations are supplemented by a number of policy documents adopted by the Council.

References to the masculine gender shall include the feminine.

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### 1. MEETINGS GENERALLY

- a Village Council meetings are held on the first Tuesday of every month, with the exception of August and January. If a meeting coincides with a public holiday, the meeting will move to the following Tuesday.
- b Meetings shall be held at 7 pm unless the Council decides otherwise at a previous meeting.
- c Smoking and vaping is not permitted at any meeting of the Council.
- d **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.**
- e **The minimum three clear days required for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
- f **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.**
- g **The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**
- h **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council (if there is one).**
- i **The Chairman of the Council, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman of the Council (if there is one) 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.**
- j **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.**
- k **The chairman of a meeting 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.**  
*See standing orders 7(f) and (g) for the different rules that apply in the election of the Chairman of the Council at the annual meeting of the Council.*

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- l **Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his vote for or against that question.** Such a request shall be made before moving on to the next item of business on the agenda.
- m 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 who are present and the names of councillors who are absent;
  - iii. interests that have been declared by councillors and non-councillors with voting rights;
  - iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;
  - v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
  - vi. if there was a public participation session; and
  - vii. the resolutions made.
- n **A councillor or a non-councillor with voting rights 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 or restrictions under the code on his right to participate and vote on that matter.**
- o **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 three.**
- p **If a meeting is or becomes inquorate no business shall be transacted** and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.
- q A meeting shall not exceed a period of 2 hours.

## 2. PUBLIC PARTICIPATION IN MEETINGS

- a Members of the public may make representations, answer questions and give evidence in respect of any item of business on the agenda during the time allocated for public questions, which shall normally be at the beginning of a meeting.

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- b The period of time designated for public participation at a meeting shall not exceed fifteen minutes unless otherwise permitted by the chairman of the meeting.
- c A member of the public shall be entitled to speak once and shall not speak for more than two minutes.
- d A question shall not require a response or debate at the meeting. An oral response will be provided if possible, or the chairman of the meeting may direct that a written or oral response be given at a later date.
- e Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.
- f A person who speaks at a meeting shall direct his comments to the chairman of the meeting.
- g Members of the public are not entitled to speak other than during the time allocated for public questions, unless invited to do so by the chairman.
- h **Subject to standing order 2(i), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.**
- i **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
- j A person intending to make recordings during a meeting is requested to notify the Clerk in advance so that appropriate arrangements can be made.

### 3. RULES OF DEBATE AT MEETINGS

- a Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairman of the meeting.
- b A motion shall not be considered unless it has been moved and seconded.
- c A motion on the agenda that is not moved by its proposer may be treated by the chairman of the meeting as withdrawn.
- d Unless permitted by the chairman of the meeting, a councillor may speak once in the debate on a motion.

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- e A point of order shall be decided by the chairman of the meeting and his decision shall be final.
- s Before a motion is put to the vote, the chairman of the meeting shall be satisfied that the motion has been sufficiently debated.

### 4. DISORDERLY CONDUCT AT MEETINGS

- 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 person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- c If a resolution made under standing order 4(b) is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

### 5. VIRTUAL MEETINGS

- a **The Council may hold virtual meetings at any time before the 7<sup>th</sup> May 2021 when it is not possible to hold face-to-face meetings.**
- b Virtual meetings will be held using such video conferencing providers as the Council shall consider appropriate.
- c Agendas and notices of virtual meetings will be published on the Council's website 3 clear days before a meeting.
- d The agenda will include an invitation to members of the public to send any questions prior to the meeting or to request log in details from the Clerk if they wish to attend and observe the virtual meeting.
- e Councillors will receive an email invitation to attend the meeting, containing a link and any log in ID and password.
- f During the public participation section of the meeting, members of the public will be able to speak when invited to do so by the Chair of the meeting. Once the public participation section has ended, members of the public will be able to remain in the meeting but will not be able to speak and microphones will be muted.

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- g Councillors' microphones will be muted unless they are speaking, in order to minimise interference and background noise. A Councillor who wishes to speak should indicate by raising their hand or using the wave hand button.
- h Councillors will be asked to vote on a motion by raising their hand or using the wave hand button. A Councillor who does not have video will be asked to verbally confirm whether they agree to a motion.
- i Any person who engages in conduct which disrupts the meeting will be asked to desist and may be removed from the meeting either immediately or following a warning.
- j Virtual meetings may be recorded by the Council. Recordings will be deleted once minutes of the meetings have been agreed by the Council.
- k All relevant Standing Orders shall apply to the conduct of virtual meetings unless they conflict with this standing order, in which case this standing order shall prevail.

### 6. COMMITTEES, SUB-COMMITTEES AND WORKING GROUPS

- a **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**
- b **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**
- c **Unless the Council determines otherwise, all the members of a committee (other than a finance committee), a sub-committee of a committee or a working group may be non-councillors.**
- d **The Council may appoint standing committees or other committees or working groups as may be necessary, and:**
  - i. shall determine their terms of reference;
  - ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council;
  - iii. shall permit a committee, sub-committee or working group, other than a standing committee, to determine the number and time of its meetings;
  - iv. shall, after it has appointed the members of a standing committee, appoint the chairman of the standing committee;

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- v. shall permit a committee other than a standing committee, or a working group, to appoint its own chairman at the first meeting of the committee;
  - vi. shall determine if the public may participate at a meeting of a committee;
  - vii. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
  - viii. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
  - ix. may dissolve a committee, a sub-committee or a working group.
- e The Council's current standing committees are the Finance and Administration Committee, The Planning Committee and the Public Services Committee. Dissolutions or additions may be made in accordance with this standing order.

### 7. THE ANNUAL MEETING OF THE COUNCIL

- a **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.**
- b **In a year which is not an election year, the annual meeting of the Council shall be held on the first Tuesday in May.**  
(See Standing Order 1a)
- c **The first business conducted at the annual meeting of the Council shall be the election of the Chairman and Vice-Chairman (if there is one) of the Council.**
- d **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.**
- e **The Vice-Chairman of the Council, if there is one, 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.**
- f **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 annual 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 shall give a casting vote in the case of an equality of votes.**

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- g **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 annual 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 shall give a casting vote in the case of an equality of votes.**
- h Following the election of the Chairman of the Council and Vice-Chairman (if there is one) of the Council at the annual meeting, the business shall include:
- 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. Public questions and comments;
  - iii. Confirmation of the accuracy of the minutes of the last meeting of the Council;
  - iv. Receipt of the minutes of the last meeting of a committee;
  - v. Consideration of the recommendations made by a committee;
  - vi. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
  - vii. Review of the terms of reference for committees;
  - viii. Appointment of members to existing committees;
  - ix. Appointment of any new committees in accordance with standing order 4;
  - x. Review and adoption of appropriate standing orders and financial regulations;
  - xi. Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses.
  - xii. Review of representation on or work with external bodies and arrangements for reporting back;
  - xiii. In an election year, to make arrangements with a view to the Council becoming eligible to exercise the general power of competence in the future;
  - xiv. Review of inventory of land and other assets including buildings and office equipment;

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- xv. Confirmation of arrangements for insurance cover in respect of all insurable risks;
- xvi. Review of the Council's and/or staff subscriptions to other bodies;
- xvii. Review of the Council's complaints procedure;
- xviii. Review of the Council's policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation (*see also standing orders 11, 20 and 21*);
- xix. Review of the Council's policy for dealing with the press/media;
- xx. Review of the Council's employment policies and procedures;
- xxi. Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence;
- xxii. Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.

### 8. ORDINARY MEETINGS OF THE COUNCIL

- a **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 decides.**  
(See Standing Order 1a)
- b The order of business at an ordinary meeting shall include:
  - i. Appointment of a chairman if both chairman and vice-chairman are absent;
  - ii. Public questions and comments;
  - iii. Reports from District and County Councillors;
  - iv. Confirmation of the accuracy of the minutes of the last meeting of the Council;
  - v. Receipt of minutes and consideration of recommendations from committees, sub-committees and working groups;
  - vi. Receipt and consideration of reports from officers of the Council;
  - vii. Dealing with business expressly required by Statute to be done;
  - viii. Approval of receipts and payments since last meeting;

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- ix. Considering motions and recommendations.

### 9. EXTRAORDINARY MEETINGS OF THE COUNCIL AND COMMITTEES

- 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 call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two councillors.**
- c The chairman of a committee may convene an extraordinary meeting of the committee at any time.
- d If the chairman of a committee does not call an extraordinary meeting within seven days of having been requested to do so by two members of the committee any two members of the committee may convene an extraordinary meeting of the committee.

### 10. PREVIOUS RESOLUTIONS

- a A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least four councillors to be given to the Proper Officer in accordance with standing order 12, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
- b When a special motion moved pursuant to standing order 10(a) has been disposed of, no similar motion may be moved for a further six months.

### 11. VOTING ON APPOINTMENTS

- a Where more than two 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. A tie in votes may be settled by the casting vote exercisable by the chairman of the meeting.

**12. MOTIONS FOR A MEETING THAT REQUIRE WRITTEN NOTICE**

- a A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
- b Unless Standing Order 13 applies, no motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least five clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c The Proper Officer may, before including a motion on the agenda received in accordance with standing order 12(b), correct obvious grammatical or typographical errors in the wording of the motion.
- d If the Proper Officer considers the wording of a motion received in accordance with standing order 12(b) is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it, so that it can be understood, in writing, to the Proper Officer at least five clear days before the meeting.
- e If the wording or subject of a proposed motion is considered 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 in the agenda or rejected.
- f The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g Motions received shall be recorded and numbered in the order that they are received.
- h Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.

**13. MOTIONS AT A MEETING THAT DO NOT REQUIRE WRITTEN NOTICE**

- a The following motions may be moved at a meeting without written notice to the Proper Officer:
  - i to correct an inaccuracy in the draft minutes of a meeting;
  - ii to move to a vote;
  - iii to defer consideration of a motion;
  - iv to refer a motion to a particular committee or sub-committee;

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- v. to appoint a person to preside at a meeting;
- vi. to change the order of business on the agenda;
- vii. to proceed to the next business on the agenda;
- viii. to require a written report;
- ix. to appoint a committee or sub-committee and their members;
- x. to extend the time limits for speaking;
- xi. to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest;
- xii. to not hear further from a councillor or a member of the public;
- xiii. to exclude a councillor or member of the public for disorderly conduct;
- xiv. to temporarily suspend the meeting;
- xv. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);
- xvi. to adjourn the meeting; or
- xvii. to close the meeting.

### 14. PARISH MEETINGS

- a The Annual Village Meeting (Annual Parish Assembly) is a meeting at which the local government electors of Ashurst Wood meet to discuss parish affairs. It shall be convened annually by the Council on a date between the 1<sup>st</sup> March and the 1<sup>st</sup> June inclusive.
- b Parish meetings may also be convened by any of the following:
  - i. The Chairman of the Council;
  - ii. Two councillors; or
  - iii. Six local government electors for the parish.
- c Public notice of a parish meeting shall be given at least seven clear days beforehand, but if the meeting is to discuss the establishment or dissolution of a parish council or the grouping together of parishes, fourteen clear days notice shall be given.
- d The Chairman of the Council, if present, shall preside at a parish meeting and if absent the Vice-Chairman shall preside. If both the Chairman and Vic-

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Chairman are absent, those present at the meeting shall appoint a chairman for the meeting.

- e A parish meeting shall be open to the press and public, but only local government electors for the parish shall be entitled to vote at the meeting or a subsequent poll.
- f A poll may be demanded before the conclusion of a parish meeting on any question arising at the meeting, but no poll shall be taken unless either
  - i. The person presiding at the meeting consents, or
  - ii. The poll is demanded by not less than ten, or one-third of the local government electors present at the meeting, whichever number is lower.

The question for the poll shall be decided by those present at the meeting, and the person presiding at the meeting shall notify the District Council that a poll has been demanded.

- g Resolutions of a parish meeting and results of a poll shall not be binding on the Council (unless a specific legal exception applies).

### 15. MANAGEMENT OF INFORMATION

*See also standing order 20*

- a **The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.**
- b **The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).**
- c **The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.**
- d **Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.**

16. **DRAFT MINUTES**

- a If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 13(a)(i).
- c The accuracy of draft minutes, including any amendment(s) made to them, 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 meeting and the minutes are confirmed as an accurate record of the proceedings.”
- e Subject to the publication of draft minutes in accordance with standing order 20(a) and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

17. **CODE OF CONDUCT AND DISPENSATIONS**

*See also standing order 1(n).*

- a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
- b Unless he has been granted a dispensation, a councillor or non-councillor with voting rights 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.
- c Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a prejudicial interest as defined by the Council's code of conduct. He may the make representations, answer questions or give evidence relating to the matter before withdrawing. He may return to the meeting after it has

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considered the matter in which he had the interest.

- d **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.
- e A decision as to whether to grant a dispensation shall be made by the Proper Officer and that decision is final.
- f 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.
- g Subject to standing orders 16(d) and (f), a dispensation request shall be considered by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required.
- h **A dispensation may be granted in accordance with standing order 16(e) if having regard to all relevant circumstances any of the following apply:**
  - 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;
  - 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.

### 18. CODE OF CONDUCT COMPLAINTS

- a Complaints under the code of conduct are dealt with by Mid Sussex District Council. Upon notification by Mid Sussex District Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to standing order 15, report this to the Council.
- b Where the notification in standing order 17(a) relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of Council of this fact, and the Chairman shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been

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determined and the Council has agreed what action, if any, to take in accordance with standing order 17(d).

- c The Council may:
  - i. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
  - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- d Upon notification by Mid Sussex District 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.

### 19. PROPER OFFICER

- a The Proper Officer shall be either (i) the clerk or (ii) other staff member(s) nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.
- b The Proper Officer shall:
  - i. **at least three clear days before a meeting of the council, a committee or a sub-committee,**
    - **serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email), and**
    - **provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them);**
  - See standing order 1(e) for the meaning of clear days*
  - ii. subject to standing order 12, include on the agenda all motions in the order received unless a councillor has given written notice of withdrawal of a motion;
  - iii. **convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;**
  - iv. **facilitate inspection of the minute book by local government electors;**
  - v. **receive and retain copies of byelaws made by other local**

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### **authorities;**

- vi. hold acceptance of office forms from councillors;
- vii. hold a copy of every councillor's register of interests;
- viii. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
- ix. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- x. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);
- xi. arrange for legal deeds to be executed;  
(see also *standing order 23*);
- xii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
- xiii. record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
- xiv. refer a planning application received by the Council to the Chairman or in his absence Vice-Chairman (if there is one) of the Planning Committee and convene a Planning Committee meeting for consideration of the application within the required response time; and
- xv. manage access to information about the Council via the publication scheme.

## 20. **EMERGENCY ACTION**

- a In the event of an emergency, or to comply with a commercial or statutory deadline, and only where it is not possible to hold a Council meeting (including a virtual meeting or an extraordinary meeting), the Proper Officer shall have delegated authority to make decisions on behalf of the Council.
- b Decisions made by the Proper Officer under standing order 20(a) shall be made after consultation with the chairman and as many councillors as possible using such methods of communication as appropriate.
- c Decisions made in accordance with this standing order shall be published on

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the Council's website and shall be reported to a Council meeting as soon as possible.

### 21. 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.

*See the Council's financial regulations for the role and duties of the RFO*

### 22. ACCOUNTS AND AUDITING STATEMENTS

- a "Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils – a Practitioners' Guide".
- b All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.
- c The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
  - i. the Council's receipts and payments (or income and expenditure) for each quarter;
  - ii. the Council's aggregate receipts and payments (or income and expenditure) for the year to date;
  - iii. the balances held at the end of the quarter being reported and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
  - i. each councillor with a statement summarising the Council's receipts and payments (or income and expenditure) for the last quarter and the year to date for information; and
  - ii. to the Council the accounting statements for the year in the form of Section 2 of the annual governance and accountability return, as required by proper practices, for consideration and approval.
- e The year-end accounting statements shall be prepared in accordance with

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proper practices and apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all councillors at least 14 days prior to anticipated approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

### 23. FINANCIAL CONTROLS AND PROCUREMENT

- 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 keeping of accounting records and systems of internal controls;
  - ii. the assessment and management of financial risks faced by the Council;
  - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
  - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and
  - v. procedures relating to contracts, procurement and tendering, including compliance with the Public Contracts Regulations 2015 or any other relevant regulations.
- b. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.

### 24. HANDLING STAFF MATTERS

- a. A matter personal to a member of staff that is being considered by a meeting of the Council or a committee is subject to standing order 15.
- b. Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the chairman of Council or, if he is not available, the vice-chairman, of absence occasioned by illness or other reason and that person shall report such absence to the Council at its next meeting.
- c. The chairman of the Council or, in his absence, the vice-chairman shall

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conduct a review of the performance and annual appraisal of the work of the Clerk. The reviews and appraisal shall be reported in writing and are subject to approval by resolution by the Council.

- d Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior member of staff (or other members of staff) shall contact the chairman of the Council or in his absence, the vice-chairman in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Council.
- e Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by a member of staff relates to the chairman or vice-chairman of the Council, this shall be communicated to another member of the Council, which shall be reported back and progressed by resolution of the Council.
- f Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.

### 25. REQUESTS FOR INFORMATION

*See also standing order 15.*

- a **Requests for information held by the Council shall be dealt with in accordance with the Council's policies under the Freedom of Information Act 2000 and the Data Protection Act 2018 (or subsequent relevant legislation).**
- b Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the chairman of the Council.
- c The Council shall have a written policy in place for responding to and managing a personal data breach.
- d The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.
- e The Council shall maintain a written record of its processing activities.

### 26. RELATIONS WITH THE PRESS/MEDIA

- a Requests from the press or other media for an oral or written comment or statement from the Council shall be dealt with by the Proper Officer, in consultation with the chairman or committee chairman where appropriate.

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- b Councillors shall not provide oral or written comments or statements to the press or other media without prior approval from the Clerk or the Council.

### 27. EXECUTION AND SEALING OF LEGAL DEEDS

*See also standing orders 15(b)(xii) and (xvii).*

- a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- b **Subject to standing order 27(a), any two councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.**

### 28. 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 ward councillor(s) of the District and County Council representing the area of the Council.
- b Unless the Council determines otherwise, a copy of each letter sent to the District and County Council shall be sent to the ward councillor(s) representing the area of the Council.

### 29. RESTRICTIONS ON COUNCILLOR ACTIVITIES

- a. Unless duly authorised, no councillor shall:
  - i. inspect any land and/or premises which the Council has a right or duty to inspect; or
  - ii. issue orders, instructions or directions.

### 30. STANDING ORDERS GENERALLY

- a All or part of a standing order, except one that incorporates mandatory statutory or legal requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.

## ASHURST WOOD VILLAGE COUNCIL STANDING ORDERS

- b A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory or legal requirements, shall not be carried unless two-thirds of the councillors present at a meeting of the Council vote in favour.
- a The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible after he has delivered his declaration of acceptance of office.
- b The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.