

## Sykehouse Parish Council Standing Orders

### Meetings

1. Meetings of the Council shall be held at the Village Hall, Sykehouse at 7:30pm in the evening unless the Council otherwise decides at a previous meeting.
2. **The statutory Annual Meeting of the Council in an election year shall be held within fourteen days following the fourth day after the ordinary day of elections to the Council and in a year which is not an election year on such day as the Council decides.**
3. The three other statutory meetings and all additional ordinary meetings of the Council shall be held on such days as the Council decides.

### Chair of the Meeting

4. **The person presiding at a meeting may exercise all powers and duties of the Chair in relation to the conduct of the meeting.**

### Proper Officer

5. Where a statute, regulation or order confers functions or duties on the proper officer of the Council in the following cases, he/she shall be the Parish Clerk:-
  - a) To receive declarations of acceptance of office.

- b) To receive and record notices disclosing pecuniary interests.
- c) To receive and retain plans and documents.
- d) To sign notices or other documents on behalf of the Council.
- e) To receive copies of byelaws made by Doncaster metropolitan Borough council (DMBC).
- f) To sign summonses to attend the Annual Meeting and ordinary meetings of the Council.

### Quorum

6. **Three members shall constitute a quorum.**
7. If a quorum is not present within fifteen minutes after the commencement time of a Council meeting, or if during a meeting the number of Councillors present and not debarred by reason of a declared pecuniary interest falls below the quorum, the business not transacted at that meeting shall be transacted at the next meeting or on such other day as the Council or Chair may fix.

### Voting

8. Members shall vote by show of hands or, if at least two members request, by secret ballot.
9. **If a Member so requires, the Parish Clerk shall record the names of the Members who voted on any question so as to show whether they voted for or against it.**

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10. The Chair may give an original vote on any matter put to the vote and in the case of an equality of votes may give a casting vote even though he or she gave no original vote, subject to:-
- a) If the person presiding at the Annual Meeting would have ceased to be a Member of the Council but for the statutory provisions which preserve Membership of the Chair until the end of their term of office he or she may not give an original vote in the election of Chairman.
  - b) The person presiding must give a casting vote whenever there is an equality of votes in the election for Chairman.

**Order of Business**

11. At each Annual Meeting the first business shall be
- a) To elect the Chairman
  - b) To receive the Chairman's declaration of acceptance of office or, if not then received, to decide when it will be received.
  - c) In an ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.
  - d) To decide when any declarations of acceptance of office which have not been received as provided by law shall be received.
  - e) To appoint representatives to serve on outside bodies.

and shall thereafter follow the order set out in Standing Order 13.

12. At every meeting other than the Annual Meeting the first business shall be to appoint a Chair for that meeting if the Chairman be absent and to receive such declarations of acceptance of office (if any) as are required by law to be made, or if not then received to decide when they shall be received.

13. After the first business has been completed the order of business, unless the Council otherwise decides on the grounds of urgency, shall be as follows:-

- a) To read and consider the Minutes
- b) After consideration to approve the signature of the Minutes by the person presiding as a correct record.
- c) To deal with business expressly required by statute to be done.
- d) To dispose of business, if any, remaining from the last meeting.
- e) To receive such communications as the person presiding may wish to lay before the Council
- f) To answer questions from Councillors.
- g) To receive and consider reports from officers of the Council.
- h) To authorise the execution or signing of documents.
- i) To consider resolutions or recommendations in the order in which they have been notified.
- j) Any other business specified in the summons.

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14. A motion to vary the order of business on the grounds of urgency

- a) May be proposed by the Chair or by any Member and, if proposed by the Chair, may be put to the vote without being seconded.
- b) Shall be put to the vote without discussion.

### **Resolutions Moved on Notice**

15. Except as provided by these Standing Orders, no resolution may be moved unless the business to which it relates has been put on the Agenda by the Parish Clerk or the mover has given notice to the Chair or Clerk at least 7 clear days before the next meeting of the Council.

16. The Parish Clerk shall date every notice and resolution or recommendation when received, shall number each notice in the order in which it was received and shall enter it in a book which shall be open to the inspection of every member of the Council.

### **Resolutions Moved Without Notice**

17. Resolutions dealing with the following matters may be moved without notice:-

- a) To appoint a Chair of the Meeting.
- b) To correct the minutes.
- c) To approve the minutes.
- d) To alter the order of business.
- e) To proceed to the next business.

- f) To close or adjourn the debate.
- g) To refer a matter to Committee.
- h) To appoint a Committee or any members thereof.
- i) To adopt a report.
- j) To authorise the execution or signing of documents.
- k) To amend a motion.
- l) To give leave to withdraw a resolution or an amendment.
- m) To exclude the public (including the press)
- n) To silence or eject from the meeting a Member named for misconduct.
- o) To invite a Member having an interest in the subject matter under debate to remain.
- p) To give consent of the Council where such consent is required by these Standing orders.
- q) To suspend any standing order.
- r) To adjourn the meeting.

### **Questions**

18. A Member may ask the Chair or Parish Clerk any question concerning the business of the Council provided notice of the question has been given to the person to whom it is addressed before the meeting begins.

19. No questions not connected with business under discussion shall be asked except during the part of the meeting set aside for questions.

20. Every question shall be put and answered without discussion.

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**Rules of debate**

21. No discussion shall take place upon the minutes except upon their accuracy. Corrections to the Minutes shall be made by resolutions and must be initialled by the Chair.

22. Other rules of debate are:-

- a) A resolution or amendment shall not be discussed unless it has been proposed and seconded and, unless proper notice has already been given, it shall if required by the Chair, be reduced to writing and handed to him or her before it is further discussed or put to the meeting.
- b) A Member when seconding a resolution or amendment may, if he or she then declares his or her intention to do so, reserve his or her speech until a later period in the debate.
- c) A Member shall direct his or her speech to the question under discussion or to a personal explanation or a question of order.
- d) An amendment shall be either:-
  - I. To leave out words.
  - II. To leave out words and insert or add others
  - III. To insert or add words
- e) An amendment shall not have the effect of negating the resolution before the Council

- f) If an amendment be carried, the resolution as amended shall take the place of the original resolution and shall become the resolution upon which any further amendment may be moved. A further amendment shall not be moved until the Council has disposed of every other amendment previously moved.
- g) The move of a resolution or an amendment shall have a right of reply.
- h) A Member, other than the mover of a resolution, shall not without leave of the Council, speak more than once on any resolution except to move an amendment, or further amendment, or on an amendment, or on a point of order, or in personal explanation, or to move closure.
- i) A Member may rise to make a point of order or a personal explanation. A Member rising for these purposes shall be heard forthwith. A personal explanation shall be heard forthwith. A personal explanation shall be confined to some material part of a former speech by him or her which may have been misunderstood.
- j) A motion or amendment may be withdrawn by the proposer with the consent of the Council, which shall be signified without discussion, and no Member may speak upon it after permission has been asked for its withdrawal unless such permission has been refused.
- k) Where a resolution is under debate no other resolution shall be moved except the following:-
  - I. To amend the resolution
  - II. To proceed to the next business.

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- III. To adjourn the debate.
- IV. That the question be now put.
- V. That a Member named be no further heard.
- VI. That a Member named do leave the meeting.
- VII. That the resolution be referred to a committee.
- VIII. To exclude the Public (including the press).
- IX. To adjourn the meeting.

23. A Member shall stand when speaking if requested to do so by the Chair.

24. The ruling of the Chair on a point of order or on the admissibility of a personal explanation shall not be discussed, and

- a) Members shall address the Chair.
- b) If two or more Members rise, the chair shall call upon one of them to speak and the others shall resume their seats.
- c) Whenever the Chair rises during a debate all other Members shall be seated and silent.

**Closure**

25. At the end of any speech a Member may, without comment, move “that the question be now put”, “that the debate be now adjourned” or “that the Council do now adjourn”. If such a motion is seconded the Chair shall put the motion but, in the case of a motion “to put the question”, only if he or she is of the opinion that the question before Council has been sufficiently

debated. If the motion “ that the question be now put” is varied the Chair shall call upon the mover to exercise or waive his or her right of reply and shall put the question immediately after the right has been exercised or waived. The adjournment of a debate or of the council shall not prejudice the mover’s right of reply at the resumption.

**Disorderly Conduct**

26. Standing Orders relating to Disorderly Conduct are as follows:-

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

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### Right of Reply

27. The mover of a resolution shall have a right of reply immediately before the resolution is put to the vote. If an amendment is proposed the mover of the amendment shall be entitled to reply immediately before the amendment is put to the vote. A Member exercising a right of reply shall not introduce new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

### Alteration of resolution

28. A Member may, with the consent of a seconder, move amendments to his or her own resolution.

### Voting on appointments

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

### Discussions and Resolutions affecting Employees of the Council

30. If at a meeting arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service, of any person employed by the Council, it shall not be considered

until the Council has decided that the public shall be excluded from the meeting for that item.

### Expenditure

31. Cheques issued on the Council's Business Current account shall be signed by two members of the Council or Member and Parish Clerk.

### Documents

32. Standing Orders relating to Documents are as follows:-

- a) A document shall not be executed as a deed or signed on behalf of the Council unless its execution or signing has been authorised by a resolution of the Council.
- b) Any two Members of the Council may Execute as a deed any document required by law to be issued under seal.
- c) Any document not required to be issued under seal may be signed on behalf of the Council by the Parish Clerk.

### Financial Statements

33. The Parish Clerk shall supply, when available a copy of the Final Accounts for the last financial year as prepared in accordance with the requirements of the Accounts and Audit Regulations in force.

### Estimates and Precept

34. The Council shall approve the estimated net expenditure requirements for the forthcoming financial year not later than the

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end of February in each year for the purpose of fixing the Parish precept and levying such on the DMBC.

### Interests

35. If any Member has a pecuniary interest, direct or indirect, within the meaning of section 94-95 of the Local Government Act 1972, in any contract, proposed contract or other matter, he or she shall, while it is under consideration by the Council, withdraw from the meeting unless the interest is trivial in the manner described in section 97(5) or:-

- a) The disability imposed by those sections has been removed by the DMBC.
- b) The Council invite him or her to remain. Or
- c) The contract, proposed contract or other matter is under consideration as part of the report of a Committee and is not itself the subject of debate.

**36. The Parish Clerk shall record in the Council's Register of Disclosures and general Notices, Parts 1 & 2 particulars of any notice given by any Member or any officer of the Council of a pecuniary interest in a contract, and the register shall be open during reasonable hours of the day for the inspection of any Member.**

37. If any Member has a non-pecuniary interest within the ambit of the National Code of Local Government Conduct he or she shall declare it and thereupon be invited to withdraw from the meeting.

38. If a candidate for any appointment under the Council is to his or her knowledge related to any Member of or holder of any office under the Council, he or she and the person to whom he or she is related shall disclose the relationship in writing to the Parish Clerk. A candidate who fails to do so shall be disqualified for such appointment, and if appointed may be dismissed without notice. The Parish Clerk shall report to the Council any such disclosure. Where relationship to a Member is disclosed Standing order 37 shall apply. The Parish Clerk shall make known the purport of this Standing Order to every candidate.

### Canvassing of and Recommendations by Members

39. Standing Orders relating to Canvassing of and Recommendations by Members are as follows:-

- a) Canvassing of members of the Council, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Parish Clerk shall make known the purport of this subparagraph of this Standing order to every candidate.
- b) A Member of the Council shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion, but, nevertheless, any Member may give a written testimonial of a candidate's ability, experience, or character for submission to the Council with an application for appointment.

40. Standing Orders 38 and 39 shall apply to tenders as if the person making the tender were a candidate for an appointment.

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45. If a Member of the public interrupts the proceedings at any meeting, the Chair may, after warning, order that he or she be removed from the meeting room.

### Inspection of Documents

41. A Member may for the purpose of his or her duty as such (but not otherwise) inspect any document in possession of the Council by prior appointment with the Parish Clerk.

42. **All Minutes kept by the Council shall be open for the inspection of any Member of the Council at the convenience of the Clerk.**

### Admission of the Public and Press to Meetings

43. **The public (including the press) shall be admitted to all meetings of the Council which may, however, temporarily exclude the public (including the press) by means of the following resolution:**

“That in view of the special and confidential nature of the business about to be transacted, it is advisable in the public interest that the public (including the press) be temporarily excluded and they are instructed to withdraw”

44. **The Parish Clerk shall afford the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present.**

### Confidential Business

46. No Member of the Council shall disclose to any person not a Member of the Council any business declared to be confidential by the Council.

### Standing Orders on Contracts

47. Standing Orders relating to Contracts are as follows:-

- a) Where it is intended to enter into a contract exceeding £1000 in value for the supply of goods, services or materials or for the execution of works the Parish Clerk shall give public notice of such intention in the same manner as public notice of meetings of the Council is given and shall also give notice to all firms included in the appropriate standing approved list of contractors having a regard to the Parish Council's "Buy Local" and "Best Value" policies.
- b) Where no such list, as referred to in sub-paragraph (a) above, is maintained then the Parish Clerk shall give notice of the intention to enter into a contract exceeding £1000 by public advertisement in such newspapers circulating in the district as the Council shall direct.
- c) Notice of a contract exceeding £1000 shall state the general nature of the intended contract and state the name and address of the person to whom tenders are to be



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- addressed and the last date by which those tenders should reach that person in the ordinary course of the post.
- d) All invitations to tender must be forwarded under the 'recorded delivery' procedures operated by the Post Office or such other similar delivery service.
  - e) Tenders shall be opened by the Parish Clerk in the presence of at least two members of the Council on, or as soon as practicable after the date specified pursuant to paragraph (c) of this Order and shall be reported to the Parish Clerk.
  - f) The Council is not bound to accept the lowest tender.
  - g) If no tenders are received or if all the tenders are identical the Council may make such arrangements for procuring the goods, services, materials or executing the works as it thinks fit.
  - h) A notice issued under this Standing Order shall contain a statement of the effect of Standing Orders 38, 39 and 40.

**Code of Conduct on Complaints**

- 48. The Council shall deal with complaints of maladministration allegedly committed by the Council or by an Officer or Member in the manner recommended by Circular 2/86 issued by the National Association of Local Councils.

**Variation, Revocation and suspension of Standing Orders.**

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

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

**Standing Orders to be given to Members**

- 51. A copy of these Standing orders shall be given to each Member of Council.

**Adoption of Standing Orders**  
The aforementioned Standing Orders were approved and adopted at the Annual Meeting of the Council held on .....

Signed.....*Alan Wright J.P.*.....  
Chairman

Signed.....*K. Roberts*.....  
Parish Clerk

19/5/09.