

South Hinksey Parish Council Standing Orders

1. Statutory Annual Meeting

- 1.1. The Annual Meeting of the Council shall be held:
 - a. In an election year, on or within 14 days following the day on which the new members take office
 - b. In a year which is not an election year, on such day in May as the Council may direct.¹
- 1.2. If no other time is fixed, the Annual Meeting of the Council shall take place at 6pm.²
- 1.3. At the Annual Meeting of the Council, the first business shall be to elect the Chairman and Vice-Chairman of the Council³.
- 1.4. Following the election of the Chairman and Vice-Chairman, the business of the Annual Meeting of the Council shall include:
 - c. To receive the Chairman's declaration of acceptance of office or, if not then received, to decide when it shall be received⁴
 - d. In an election year, to fill any vacancies left unfilled at the election by reason of insufficient nominations⁵
 - e. To decide when any declarations of acceptance of office which have not been received as provided by law shall be received;⁶
 - f. To appoint representatives to outside bodies
 - g. To appoint committees and sub-committees.and shall thereafter follow the order set out in (7.2) below.

2. Ordinary Meetings of the Council

- 2.1. In addition to the statutory 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.⁷

3. Chairman of the Meeting

- 3.1. The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.

¹ This subsection merely repeats the provisions of para 7 (2) of Schedule 12 to the Local Government Act 1972 and no part of it can therefore be suspended.

² This subsection merely repeats the provisions of para 7 (3) of Schedule 12 to the Local Government Act 1972 and no part of it can therefore be suspended.

³ This subsection merely repeats a provision of Section 15 (2) of the Local Government Act 1972 and cannot therefore be suspended.

⁴ This subsection merely repeats a provision of Section 83 (4) of the Local Government Act 1972 and cannot therefore be suspended.

⁵ This subsection merely repeats a provision of Section 21 of the Representation of the People Act 1985 and cannot therefore be suspended.

⁶ This subsection merely repeats a provision of Section 83 (4) of the Local Government Act 1972 and cannot therefore be suspended.

⁷ This section merely repeats the provisions of para 8 of Schedule 12 to the Local Government Act 1972 and no part of it can therefore be suspended.

4. Quorum at meetings

- 4.1. Three members or one-third of the total membership, whichever is the greater, shall constitute a quorum at meetings of the Council.⁸
- 4.2. Except where ordered by the Council in the case of a committee, or by the Council or by the appropriate committee in the case of a sub-committee, the quorum of a committee or sub-committee shall be one-half of its members.
- 4.3. 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.

5. Proper Officer

- 5.1. Where a statute, regulation or order confers function or duties on the Proper Officer of the Council in the following cases, he shall be the Clerk:
 - a. To receive declarations of acceptance of office
 - b. To receive and record notices disclosing interests at meetings
 - 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 bylaws made by another local authority
 - f. To certify copies of bylaws made by the Council
 - g. To sign and issue the summons to attend meetings of the Council
 - h. To keep proper records for all Council meetings.

6. Voting

- 6.1. Members shall vote by show of hands or, if at least two members so request, by signed ballot.
- 6.2. If a member so requires, the Clerk shall record the names of the members who voted on any question so as to show whether they voted for or against it. Such a request must be made before moving on to the next business.⁹
- 6.3. Subject to (6.4) and (6.5) below, the Chairman may give an original vote on any matter put to the vote, and in any case of an equality of votes may give a casting vote whether or not he gave an original vote.¹⁰
- 6.4. If the person presiding at the Annual Meeting of the Council would have ceased to be a member of the council but for the statutory provisions which preserve the membership of the Chairman and Vice-Chairman until the end of their term of office he may not give an original vote in an election for Chairman.¹¹

⁸ This subsection merely repeats the provisions of para 12 of Schedule 12 to the Local Government Act 1972 and cannot therefore be suspended.

⁹ This subsection merely repeats the provisions of para 13 (2) of Schedule 12 to the Local Government Act 1972 and no part of it can therefore be suspended.

¹⁰ This subsection merely repeats the provisions of paragraph 39 (2) of Schedule 12 to the Local Government Act 1972 and cannot therefore be suspended.

¹¹ This subsection merely repeats a provision of Section 15 (2) of the Local Government Act 1972 and cannot therefore be suspended.

- 6.5. The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.¹²

7. Order of Business

- 7.1. At every meeting other than the Annual Meeting of the Council, the first business shall be to appoint a Chairman if the Chairman and Vice-Chairman be absent¹³ 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.¹⁴
- 7.2. After the first business has been completed, the order of business, unless the Council otherwise decides on the ground of urgency, shall be as
- a. To read and consider the Minutes; provided that if a copy has been circulated to each member not later than the day of issue of the summons to attend the meeting, the Minutes may be taken as read
 - 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 and minutes of committees
 - h. To receive and consider resolutions or recommendations in the order in which they have been notified
 - i. To authorise the sealing of documents
 - j. If necessary, to authorise the signing of orders for payment.

8. Urgent Business

- 8.1. A motion to vary the order of business on the ground of urgency:
- a. may be proposed by the Chairman or by any member and, if proposed by the Chairman, may be put to the vote without being seconded, and
 - b. shall be put to the vote without discussion.

9. Resolutions Moved on Notice

- 9.1. 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 Clerk or the mover has given notice in writing of its terms and has delivered the notice to the Clerk at least three clear days before the next meeting of the Council.
- 9.2. The Clerk shall date every notice of resolution or recommendation when received by him, shall number each notice in the order in

¹² This subsection merely repeats the provisions of Section 15 (3) of the Local Government Act 1972 and cannot therefore be suspended.

¹³ The opening part of this subsection merely repeats the provisions of paragraph 11 (3) of Schedule 12 to the Local Government Act 1972 and cannot therefore be suspended.

¹⁴ The remaining part of this subsection merely repeats a provision of Section 83 (4) of the Local Government Act 1972 and cannot therefore be suspended.

which it was received and shall enter it in a book which shall be open to the inspection of every member of the Council.

- 9.3. The Clerk shall insert in the summons for every meeting all notices of motion or recommendation properly given in the order in which they have been received unless the member giving a notice of motion has stated in writing that he intends to move at some later meeting or that he withdraws it.
- 9.4. If a resolution or recommendation specified in the summons is not moved either by the member who gave notice of it or by any other member, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.
- 9.5. If the subject matter of a resolution comes within the province of a committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to such committee or to such other committee as the Council may determine for report; provided that the Chairman, if he considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.
- 9.6. Every resolution or recommendation shall be relevant to some subject over which the Council has power or duties, which affects its area.

10. Resolutions Moved without Notice

- 10.1. Resolutions dealing with the following matters may be moved without notice:
 - a. To appoint a Chairman 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 a committee
 - h. To appoint a committee or any members thereof
 - i. To adopt a report
 - j. To authorise the sealing of documents
 - k. To amend a motion
 - l. To give leave to withdraw a resolution or amendment
 - m. To extend the time limit for speeches
 - n. To exclude the press and public (see (32) below)
 - o. To silence or eject from the meeting a member named for misconduct (see (14) below)
 - p. To give the consent of the Council where such consent is required by these Standing Orders
 - q. To suspend any Standing Order (see (36) below).

11. Questions

- 11.1. A member may ask the Chairman of the Council or the Clerk any question concerning the business of the Council, provided three clear days' notice of the question has been given to the person to whom it is addressed.

- 11.2. No questions not connected with business under discussion shall be asked except during the part of the meeting set aside for questions.
- 11.3. Every question shall be put and answered without discussion.
- 11.4. A person to whom a question has been put may decline to answer.

12. Rules of Debate

- 12.1. No discussion of the Minutes shall take place except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chairman.
- 12.2. 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 Chairman, be reduced to writing and handed to him before it is further discussed or put to the meeting.
- 12.3. A member when seconding a resolution or amendment may, if he then declares his intention to do so, reserve his speech until a later period of the debate.
- 12.4. A member shall direct his speech to the question under discussion or to a personal explanation or to a question of order.
- 12.5. No speech by a mover of a resolution shall exceed five minutes and no other speech shall exceed five minutes except by consent of the Council.
- 12.6. An amendment shall be either:
 - a. To leave out words; or
 - b. To leave out words and insert others; or
 - c. To insert or add words.
- 12.7. An amendment shall not have the effect of negating the resolution before the Council.
- 12.8. A member may, with the consent of his seconder, move amendments to his own resolution.
- 12.9. 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.
- 12.10. A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
- 12.11. 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 a closure.
- 12.12. A member may speak on a point of order or a personal explanation. A member speaking for these purposes shall be heard forthwith. A personal explanation shall be confined to some material part of a former speech by him which may have been misunderstood.
- 12.13. 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.
- 12.14. When a resolution is under debate no other resolution shall be moved except the following:

- a. To amend the resolution
 - b. To proceed to the next business
 - c. To adjourn the debate
 - d. That the question be now put
 - e. That a member named be not further heard
 - f. That a member named leave the meeting
 - g. That the resolution be referred to a committee
 - h. To exclude the public and press
 - i. To adjourn the meeting.
- 12.15. A member shall remain seated when speaking unless requested to stand by the Chairman.
- 12.16. The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed.
- 12.17. Members shall address the Chairman. If two or more members wish to speak, the Chairman shall decide who to call upon.
- 12.18. Whenever the Chairman speaks during a debate all other members shall be silent.

13. Closure

- 13.1. 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 motion is seconded, the Chairman shall put the motion but, in the case of a motion "that the question be now put", only if he is of the opinion that the question before the Council has been sufficiently debated. If the motion "that the question be now put" is carried, he shall call upon the mover to exercise or waive his right of reply and shall put the question immediately after that 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.

14. Right of Reply

- 14.1. The mover of a resolution or of an amendment shall have a right of reply, not exceeding five minutes, immediately before the resolution or amendment is put to the vote. A member exercising a right of reply shall not introduce a new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

15. Disorderly Conduct

- 15.1. All members must observe the Code of Conduct which was adopted by the council on 11 June 2012.¹⁵
- 15.2. No member shall at a meeting persistently disregard the ruling of the Chairman, wilfully obstruct business, or behave irregularly, offensively, improperly or in such a manner as to bring the Council into disrepute.

¹⁵ This subsection merely repeats a provision of Section 52 of the Local Government Act 2000 and cannot therefore be suspended.

- 15.3. If, in the opinion of the Chairman, a member has broken the provisions of (15.2) above, the Chairman shall express that opinion to the Council and thereafter any member may move that the member named be no longer heard or that the member named do leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
- 15.4. If either of the motions mentioned in paragraph (15.3) above is disobeyed, the Chairman may adjourn the meeting or take such further steps as may reasonably be necessary to enforce them.

16. Previous Resolutions

- 16.1. A resolution shall not be reversed within six months except either by a special resolution, which requires written notice by at least 4 members to be given to the Clerk as Proper Officer, or by a resolution moved in pursuance of the recommendation of a committee or sub-committee.
- 16.2. When a resolution moved pursuant to (16.1) above has been disposed of, no similar resolution may be moved within a further six months.

17. Voting on Appointments

- 17.1. Where more than two persons have been nominated for a position to be filled by the Council and none of these 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.

18. Handling Employment Matters

- 18.1. In every year, not later than the meeting at which the estimates for next year are settled, the Council shall review the pay and conditions of service of existing employees.
- 18.2. If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service, of any person employed by the Council, it shall not be considered until the Council or committee (as the case may be) has decided whether or not the press and public shall be excluded (see (32) below).

19. Resolutions on Expenditure

- 19.1. Any resolution (which is moved otherwise than in pursuance of a recommendation of the Finance Committee or of another committee after recommendation by the Finance Committee) and which, if carried, would, in the opinion of the Chairman, substantially increase the expenditure upon any service which is under the management of the Council or reduce the revenue at the disposal of any committee, or which would involve capital expenditure, shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council, and any committee affected by it shall consider whether it desires to report thereon (and the

Finance Committee shall report on the financial aspect of the matters).

20. Execution of Legal Deeds

- 20.1. A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- 20.2. Any two members named in a resolution moved under (20.1) above may sign, on behalf of the Council, any deed required by law and the Clerk as Proper Officer shall witness their signatures.

21. Committees and Sub Committees

- 21.1. The Council may at its Annual Meeting appoint standing committees and may at any other time appoint such other committees as are necessary, but subject to any statutory provision in that behalf:
 - a. Shall not appoint any member of a committee so as to hold office later than the next Annual Meeting
 - b. May appoint persons other than members of the Council to any Committee; and
 - c. May, subject to the provisions of (16) above, at any time dissolve or alter the membership of committee.
- 21.2. The Chairman and Vice-Chairman, *ex-officio*, shall be voting members of every committee.
- 21.3. Every committee shall at its first meeting before proceeding to any other business, elect a Chairman and may elect a Vice-Chairman who shall hold office until the next Annual Meeting of the Council, and shall settle its programme of meetings for the year.

22. Special Meeting

- 22.1. The Chairman of a committee or the Chairman of the Council may summon an additional meeting of that committee at any time. An additional meeting shall also be summoned on the requisition in writing of not less than a quarter of the members of the committee. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.

23. Sub-Committees

- 23.1. Every committee may appoint sub-committees for purposes to be specified by the committee.
- 23.2. The Chairman and Vice-Chairman of the committee shall be members of every sub-committee appointed by it unless they signify that they do not wish to serve.
- 23.3. The Standing Orders on rules of debate (except those parts relating to standing and to speaking more than once) and the Standing Order on interests of members in contracts and other matters shall apply to committee and sub-committee meetings.

24. Advisory Committees

- 24.1. The Council may create advisory committees, whose name, and number of members and the bodies to be invited to nominate members shall be specified.
- 24.2. The Clerk shall inform the members of each advisory committee of the terms of reference of the committee.
- 24.3. An advisory committee may make recommendations and give notice thereof to the Council
- 24.4. An advisory committee may consist wholly of persons who are not members of the Council.

25. Voting in Committees

- 25.1. Members of committees and sub-committees entitled to vote, shall vote by show of hands, or, if at least two members so request, by signed ballot.
- 25.2. Chairmen of committees and sub-committees shall in the case of an equality of votes have a second or casting vote.¹⁶

26. Presence of Non-Members of Committees at Committee Meetings

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

27. Financial Matters

- 27.1. The Council shall consider and approve Financial Regulations drawn up by the Clerk as Responsible Financial Officer which shall include detailed arrangements in respect of the following:
 - a. the keeping of accounting records and systems of internal controls
 - b. the assessment and management of financial risks faced by the Council
 - c. the work of the Internal Auditor in accordance with proper practices and the receipt of regular reports from the Internal Auditor, which shall be required at least annually
 - d. the inspection and copying by members and local electors of the Council's accounts and/or orders of payments; and
 - e. procurement policies.
- 27.2. All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's Financial Regulations.
- 27.3. The term 'proper practices' in this Standing Order shall refer to the most recent guidance in Governance and Accountability for Smaller Authorities in England issued by the Joint Panel on Accountability and Governance, available from the websites of the National Association of Local Councils and the Society for Local Council Clerks.

¹⁶ This subsection merely repeats the provisions of paragraph 39 (2) of Schedule 12 to the Local Government Act 1972 and cannot therefore be suspended.

28. Interests

- 28.1. If a member has a personal interest as defined by the Code of Conduct adopted by the Council on 11 June 2012 then he shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required.
- 28.2. If a member who has declared a personal interest then considers the interest to be prejudicial, he must withdraw from the room or chamber during consideration of the item to which the interest relates.
- 28.3. If a candidate for any appointment under the Council is to his knowledge related to any member of or the holder of any office under the Council, he and the person to whom he is related shall disclose the relationship in writing to the Clerk. A candidate who fails so to do shall be disqualified for such appointment, and, if appointed, may be dismissed without notice. The Clerk shall report to the Council or to the appropriate committee any such disclosure. Where a relationship to a member is disclosed, this Standing Order shall apply as appropriate.
- 28.4. The Clerk shall make known the purpose of (29) below to every candidate.

29. Canvassing of and Recommendations by Members

- 29.1. Canvassing of members of the Council or of any committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make known the purport of this sub-paragraph of this Standing Order to every candidate.
- 29.2. A member of the Council or of any committee shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but, nevertheless, any such member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.

30. Inspection of Documents

- 30.1. A member may for the purpose of his duty as such (but not otherwise), inspect any document in possession of the Council or a committee, and if copies are available shall, on request, be supplied for the like purpose with a copy.
- 30.2. All minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council.

31. Restrictions on Members' Activities

- 31.1. Unless authorised by a resolution of the Council or the relevant committee or sub-committee, no member of the Council or of any committee or sub-committee shall, in the name of or on behalf of the Council:
 - a. Inspect any land or premises which the Council has a right or duty to inspect; or
 - b. Issue orders, instructions or directions.

32. Admission of the Public and Press to Meetings

- 32.1. The public and press shall be admitted to all meetings of the Council and its committees and sub-committees, which may, however, temporarily exclude the public by means of the following resolutions:
"That in view of the confidential nature of the business about to be transacted, it is advisable in the public interest that the press and public be temporarily excluded and they are instructed to withdraw"
- 32.2. The Council shall state the special reason for exclusion.
- 32.3. At all meetings of the Council the Chairman may at his discretion and at a convenient time in the transaction of business, adjourn the meeting so as to allow any members of the public to address the meeting in relation to the business to be transacted at that meeting.
- 32.4. The Clerk shall afford to the press reasonable facilities for the taking of their report of any proceedings at which they are entitled to be present.
- 32.5. If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that he be removed from the meeting and may adjourn the meeting for such period as is necessary to restore order.

33. Confidential Business

- 33.1. No member of the Council or of any committee or sub-committee shall disclose to any person not a member of the Council any business declared to be confidential by the Council, the committee or the sub-committee as the case may be.
- 33.2. Any member in breach of the provisions of (33.1) above shall be removed from any committee or sub-committee of the Council by the Council.

34. Liaison with County and District Councillors

- 34.1. An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the County and District Councillors for the appropriate division or ward.
- 34.2. Unless the Council determines otherwise, a copy of each letter ordered to be sent to the County or District Council shall be transmitted to the County Councillor for the division or to the District Councillor for the ward as the case may require.

35. Planning Applications

- 35.1. The Clerk shall refer every planning application received to the Council within 48 hours of receipt.

36. Variation, Revocation and Suspension of Standing Orders

- 36.1. All or part of a Standing Order may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting, except a Standing Order that incorporates mandatory statutory requirements.
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36.2. A resolution permanently to add, vary or revoke a Standing Order shall when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

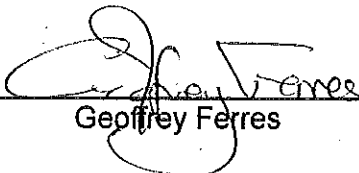
37. Standing Orders to be Given to Members

37.1. The Clerk shall provide a copy of the Council's Standing Orders to each member as soon as possible after they have delivered their declaration of acceptance of office and their written undertaking to observe the Code of Conduct adopted by the Council.

These Standing Orders were adopted by South Hinksey Parish Council on Monday 2nd September 2019.

Chairman: 
Michael Cochrane

Date: 16 Sept 2019

Clerk: 
Geoffrey Ferres

Date: 16th Sept 2019