



# **FULFORD PARISH COUNCIL STANDING ORDERS**

## **INDEX TO STANDING ORDERS**

<b>1. Rules of Debate at Meetings .....</b>	<b>1</b>
<b>2. Disorderly conduct at meetings .....</b>	<b>2</b>
<b>3. Meetings generally .....</b>	<b>3</b>
<b>4. Committees and Sub-Committees.....</b>	<b>5</b>
<b>5. Ordinary council meetings .....</b>	<b>6</b>
<b>6. Extraordinary meetings of the council and committees and sub-committees .....</b>	<b>7</b>
<b>7. Previous resolutions.....</b>	<b>8</b>
<b>8. Voting on appointments.....</b>	<b>8</b>
<b>9. Motions for a meeting that require written notice to be given to the Proper Officer.....</b>	<b>8</b>
<b>10. Motions at a meeting that do not require written notice .....</b>	<b>9</b>
<b>11. Handling confidential or sensitive information .....</b>	<b>10</b>
<b>12. Draft minutes .....</b>	<b>10</b>
<b>13. Code of conduct and dispensations.....</b>	<b>11</b>
<b>14. Code of conduct complaints.....</b>	<b>12</b>
<b>15. Proper Officer.....</b>	<b>12</b>
<b>16. Responsible Financial Officer .....</b>	<b>14</b>
<b>17. Accounts and accounting statements.....</b>	<b>14</b>
<b>18. Financial controls and procurement.....</b>	<b>14</b>
<b>19. Handling staff matters.....</b>	<b>16</b>
<b>20. Requests for information .....</b>	<b>16</b>
<b>21. Data Protection .....</b>	<b>17</b>
<b>22. Relations with the press/media .....</b>	<b>17</b>
<b>23. Execution and sealing of legal deeds.....</b>	<b>17</b>
<b>24. Communicating with District and County or Unitary councillors .....</b>	<b>17</b>
<b>25. Restrictions on councillor activities.....</b>	<b>18</b>
<b>26. Standing orders generally .....</b>	<b>18</b>
<b>27. STANDING COMMITTEES.....</b>	<b>18</b>
<b>28. WORKING GROUPS .....</b>	<b>20</b>
<b>29. SAFEGUARDING OF COUNCIL RECORDS .....</b>	<b>20</b>



## **FULFORD PARISH COUNCIL STANDING ORDERS**

### **1. 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 Chair of the meeting.
- b) A motion (including an amendment) shall not be progressed 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- c) A motion on the agenda that is not moved by its proposer may be treated by the Chair of the meeting as withdrawn.
- d) If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- e) An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- f) If an amendment to the original motion is carried, the original motion becomes the substantive motion upon which further amendment(s) may be moved.
- g) An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the Chair of the meeting, is expressed in writing to the Chair.
- h) A Councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- i) If there is more than one amendment to the original or substantive motion, the amendments shall be moved in the order directed by the Chair.
- j) Subject to standing order 1(k) below, only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chair of the meeting.
- k) One or more amendments may be discussed together if the Chair of the meeting considers this expedient, but each amendment shall be voted upon separately.
- l) A councillor may not move more than one amendment to an original or substantive motion.
- m) The mover of an amendment has no right of reply at the end of debate on it.
- n) Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate of the first amendment or at the very end of the debate of the final substantive motion immediately before it is put to the vote.
- o) Unless permitted by the Chair of the meeting, a councillor may speak once in the debate on a motion except:
  - i) To speak on an amendment moved by another councillor.



## **FULFORD PARISH COUNCIL STANDING ORDERS**

- ii) To move or speak on another amendment if the motion has been amended since he last spoke.
  - iii) to make a point of order;
  - iv) to give a personal explanation; or
  - v) in exercise of a right of reply
- p) During the debate of a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.
- q) A point of order shall be decided by the Chair of the meeting and his decision shall be final.
- r) When a motion is under debate, no other motion shall be moved except:
  - i) To amend the motion;
  - ii) To proceed to the next business;
  - iii) To adjourn the debate;
  - iv) To put the motion to a vote;
  - v) To ask a person to be no longer heard or to leave the meeting;
  - vi) To refer a motion to a committee, sub-committee or working group for consideration;
  - vii) To exclude the public and press;
  - viii) To adjourn the meeting; or
  - ix) To suspend particular standing order(s) excepting those which reflect mandatory statutory requirements.
- s) Before an original or substantive motion is put to the vote, the Chair of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.
- t) Excluding motions moved under standing order 1(r) above, the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed three minutes without the consent of the Chair of the meeting.

## **2. 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 Chair of the meeting shall request such person(s) to moderate or improve their conduct.
- b) If person(s) disregards the request of the Chair of the meeting to moderate or improve their conduct, any councillor or the Chair of the meeting may move that the person be no longer heard or excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.



## FULFORD PARISH COUNCIL STANDING ORDERS

- c) If a resolution made under standing order 2(b) above is ignored, the Chair 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.

### 3. Meetings generally

- Full Council meetings
  - Committee meetings
  - Sub-committee meetings
- 
- ☐ a **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol unless no other premises are available free of charge or at a reasonable cost.**
  - ☐ b **The minimum three clear days 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.**
  - ☐ c **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice.**
  - ☐ ☐ d **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.**
  - e Members of the public may make representations, answer questions, and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
  - f The period of time designated for public participation at a meeting in accordance with standing order 3(e) above shall not exceed fifteen minutes unless directed by the Chair of the meeting.
  - g Subject to standing order 3(f) above, a member of the public shall not speak for more than three minutes.



## FULFORD PARISH COUNCIL STANDING ORDERS

- h In accordance with standing order 3(e) above, a question shall not require a response at the meeting nor start a debate on the question. The Chair of the meeting may direct that a written or oral response be given.
- i A person shall raise his hand when requesting to speak.
- j A person who speaks at a meeting shall direct his comments to the Chair of the meeting.
- k Only one person is permitted to speak at a time. If more than one person wants to speak, the Chair of the meeting shall direct the order of speaking.
- ☐ ☐ l **Photographing, recording, broadcasting, or transmitting the proceedings of a meeting by any means is not permitted without the Council's prior written consent.** (See protocol which will be displayed at all Council meetings)
- ☐ ☐ m **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.**
- ☐ n **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair of the Council may in his absence be done by, to or before the Vice-Chair of the Council**
- ☐ o **The Chair, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**
- ☐ ☐ ☐ p **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors or councillors with voting rights present and voting.** <sup>[OBJ]</sup>
- ☐ ☐ ☐ q **The Chair 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 5(i) and (j) below for the different rules that apply in the election of the Chair of the Council at the annual meeting of the council.*
- r **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.
- s The minutes of a meeting shall include an accurate record of the following:
  - i. the time and place of the meeting;
  - ii. the names of councillors present and absent;
  - iii. interests that have been declared by councillors and non-councillors with



## FULFORD PARISH COUNCIL STANDING ORDERS

- voting rights;
  - iv. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
  - v. if there was a public participation session; and
  - vi. the resolutions made.
- t **(England) 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.**
- u **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.**  
*See standing order 4d(viii) below for the quorum of a committee or sub-committee meeting.*
- v **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.
- w A meeting shall not exceed a period of three hours or 10.00pm.

## 4. Committees and Sub-Committees

- 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 an advisory committee and a sub-committee of the advisory committee may be non-councillors.
- D The council may appoint standing committees or other committees 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 full council.
  - iii) shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
  - iv) shall, subject to standing orders 4(b) and (c) above, appoint and determine the terms of office of members of such a committee;
    - i. may, subject to standing orders 4(b) and (c) above, appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary



## **FULFORD PARISH COUNCIL STANDING ORDERS**

- members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer 3 days before the meeting that they are unable to attend;
- ii. shall, after it has appointed the members of a standing committee, appoint the Chair of the standing committee;
  - iii. shall permit a committee other than a standing committee, to appoint its own Chair at the first meeting of the committee;
  - iv. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which shall be no less than three;
  - v. shall determine if the public may participate at a meeting of a committee;
  - vi. 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;
  - vii. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
  - viii. may dissolve a committee.

### **5. Ordinary council meetings**

- 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 new councillors elected take office.
- b In a year which is not an election year, the annual meeting of a council shall be held on such day in May as the council may direct.
- c If no other time is fixed, the annual meeting of the council shall take place at 6pm.
- d In addition to the annual meeting of the council, at least three other ordinary meetings shall be held in each year on such dates and times as the council directs.
- e The first business conducted at the annual meeting of the council shall be the election of the Chair and Vice-Chair (if any) of the Council.
- f The Chair of the Council, unless the Chair has resigned or becomes disqualified, shall continue in office, and preside at the annual meeting until their successor is elected at the next annual meeting of the council.
- g The Vice-Chair of the Council, if any, unless the Vice-Chair resigns or becomes disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the council.
- h In an election year, if the current Chair of the Council has not been re-elected as a member of the council, the Chair shall preside at the meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but must give a casting vote in the case of an equality of votes.
- i In an election year, if the current Chair of the Council has been re-elected as a member of the council, the Chair shall preside at the meeting until a new Chair of the Council





## **FULFORD PARISH COUNCIL STANDING ORDERS**

**has been elected. The Chair may exercise an original vote in respect of the election of the new Chair of the Council and must give a casting vote in the case of an equality of votes.**

- j Following the election of the Chair of the Council and Vice-Chair (if any) of the Council at the annual meeting of the council, the business of the annual meeting shall include:**
- i. In an election year, delivery by the Chair 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 Chair of the Council of their acceptance of office form unless the council resolves for this to be done at a later date;
  - ii. Confirmation of the accuracy of the minutes of the last meeting of the council;
  - iii. Receipt of the minutes of the last meeting of a committee;
  - iv. Consideration of the recommendations made by a committee;
  - v. Review of delegation arrangements to committees, sub-committees, staff, and other local authorities;
  - vi. Review of the terms of reference for committees;
  - vii. Appointment of members to existing committees;
  - viii. Appointment of any new committees in accordance with standing order 4 above;
  - ix. Review and adoption of appropriate standing orders and financial regulations;
  - x. Review of arrangements, including any charters and agency agreements, with other local authorities and review of contributions made to expenditure incurred by other local authorities;
  - xi. Review of representation on or work with external bodies and arrangements for reporting back;
  - xii. (*England*) 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;
  - xiii. Review of inventory of land and assets including buildings and office equipment;
  - xiv. Confirmation of arrangements for insurance cover in respect of all insured risks;
  - xv. Review of the council's and/or staff subscriptions to other bodies;
  - xvi. Review of the council's complaints procedure;
  - xvii. Review of the council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998;
  - xviii. Review of the council's policy for dealing with the press/media; and
  - xix. Determining the time and place of ordinary meetings of the full council up to and including the next annual meeting of full council.

## **6. Extraordinary meetings of the council and committees and sub-committees**

- a **The Chair of the Council may convene an extraordinary meeting of the council at any time.**
- b **If the Chair of the Council does not or refuses to call an extraordinary meeting of the council within seven days of having been requested in writing to do so by two**





## **FULFORD PARISH COUNCIL STANDING ORDERS**

**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 must be signed by the two councillors.**

- c The Chair of a committee [or a sub-committee] may convene an extraordinary meeting of the committee [or the sub-committee] at any time.
- d If the Chair of a committee [or a sub-committee] does not or refuses to call an extraordinary meeting within three days of having been requested by to do so by three members of the committee [or the sub-committee], any three members of the committee [and the sub-committee] may convene an extraordinary meeting of a committee [and a sub-committee].

## **7. 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 3 Councillors to be given to the Proper Officer in accordance with standing order 9 below, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
- b When a motion moved pursuant to standing order 7(a) above has been disposed of, no similar motion may be moved within a further six months.

## **8. 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 Chair of the meeting.

## **9. Motions for a meeting that require written notice to be given to the Proper Officer**



## **FULFORD PARISH COUNCIL STANDING ORDERS**

- a A motion shall relate to the responsibilities of the meeting which it is tabled for 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 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 7 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 9(b) above, 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 9(b) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer so that it can be understood at least 7 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 Chair 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 Subject to standing order 9(e) above, the decision of the Proper Officer as to whether to include the motion on the agenda shall be final.
- g Motions received shall be recorded in a book for that purpose and numbered in the order that they are received.
- h Motions rejected shall be recorded in a book for that purpose with an explanation by the Proper Officer for their rejection.

## **10. 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;



## **FULFORD PARISH COUNCIL STANDING ORDERS**

- iv. to refer a motion to a particular committee or sub-committee;
- 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 sensitive 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 requirements);
- xvi. to adjourn the meeting; or
- xvii. to close a meeting.

### **11. Handling confidential or sensitive information**

- a The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential or sensitive information which for special reasons would not be in the public interest.
- b Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.

### **12. 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 10(a)(i) above.
- c The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution, and shall be signed by the Chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.



## FULFORD PARISH COUNCIL STANDING ORDERS

- d If the Chair 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 Chair 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 Upon 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.

### 13. Code of conduct and dispensations

*See also standing order 3(t) above.*

#### England

- a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the council.
- b Unless a councillor 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 they have a disclosable pecuniary interest. They may return to the meeting after it has considered the matter in which they had the interest.
- c Unless a councillor 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 they have another interest if so, required by the council's code of conduct. They may return to the meeting after it has considered the matter in which they 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] OR [by a meeting of the council, or committee or sub-committee for which the dispensation is required] and that decision is final.
- f A dispensation request shall confirm:
- the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
  - whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
  - the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
  - an explanation as to why the dispensation is sought.
- g Subject to standing orders 13(d) and (f) above, dispensations requests shall be considered by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting of



## FULFORD PARISH COUNCIL STANDING ORDERS

the council, or committee or a sub-committee for which the dispensation is required.

- h **A dispensation may be granted in accordance with standing order 13(e) above if having regard to all relevant circumstances the following applies:**
  - i. **without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business or**
  - ii. **granting the dispensation is in the interests of persons living in the council's area or**
  - iii. **it is otherwise appropriate to grant a dispensation.**

## 14. Code of conduct complaints

- a Upon notification by the District or Unitary Council [County Borough] OR [County 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 11 above, report this to the council.
- b Where the notification in standing order 14(a) above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chair of Council of this fact, and the Chair shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined [(England) and the council has agreed what action, if any, to take in accordance with standing order 14(d) below].
- c The council may:
  - i. provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
  - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- d **Upon notification by the District or Unitary Council that a councillor or non-councillor with voting rights has breached the council's code of conduct, the council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.**

## 15. 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 and a sub-committee serve on councillors a summons by e-mail** provided any such email contains the electronic signature and title of the agenda Proper Officer. If necessary,



## FULFORD PARISH COUNCIL STANDING ORDERS

an agenda may be delivered by post to a councillor's residence.

*See standing order 3(b) above for the meaning of clear days for a meeting of a full council and standing order 3 (c) above for a meeting of a committee.*

- ii. **give public notice of the time, place, and agenda at least three clear days before a meeting of the council or a meeting of a committee or a sub-committee (provided that the public notice with agenda of an extraordinary meeting of the council convened by councillors is signed by them);**

*See standing order 3(b) above for the meaning of clear days for a meeting of a full council and standing order 3(c) above for a meeting of a committee.*

- iii. subject to standing order 9 above, include on the agenda all motions in the order received unless a councillor has given written notice at least 2 days before the meeting confirming his withdrawal of it;
- iv. **convene a meeting of full council for the election of a new Chair of the Council, occasioned by a casual vacancy in his office;**
- v. facilitate inspection of the minute book by local government electors;
- vi. **receive and retain copies of byelaws made by other local authorities;**
- vii. retain acceptance of office forms from councillors;
- viii. retain a copy of every councillor's register of interests;
- ix. assist with responding to requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the council's policies and procedures relating to the same;
- x. receive and send general correspondence and notices on behalf of the council except where there is a resolution to the contrary;
- xi. manage the organisation, storage of, access to and destruction of information held by the council in paper and electronic form;
- xii. arrange for legal deeds to be executed;  
*See also standing order 22 below.*
- xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the council in accordance with the council's financial regulations;
- xiv. record every planning application notified to the council and the council's response to the local planning authority in a book for such purpose;
- xv. refer a planning application received by the council to the Chair or in his absence the Vice-Chair and Chair of the Planning Committee within two working days of receipt to consider facilitating an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the council.
- xvi. manage access to information about the council via the publication scheme; and
- xvii. retain custody of the seal of the council (if any) which shall not be used without a resolution to that effect.

*See also standing order 22 below.*

- c The Proper Officer shall, in an urgent situation where it is not practicable to call a meeting, have authority to decide on matters necessary to maintain the functionality of the Parish Council or matters of an urgent nature. This delegated authority is subject to the provision that the Proper Officer receives agreement from at least three councillors (to include the Chair when possible) by email prior to any decision taken under this delegated authority. Any decisions taken under this authority must be on the agenda for confirmation by the Parish Council at the next available meeting.



## **FULFORD PARISH COUNCIL STANDING ORDERS**

### **16. Responsible Financial Officer**

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

### **17. Accounts and accounting statements**

- a "Proper practices" in standing orders refer to the most recent version of Governance and Accountability for Local Councils – a Practitioners' Guide (England)]
- 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 for each quarter;
  - ii. the council's aggregate receipts and payments 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 for the last quarter and the year to date for information; and
  - ii. to the full council the accounting statements for the year in the form of Section 1 of the annual return, as required by proper practices, for consideration and approval.
- e The year end accounting statements shall be prepared in accordance with proper practices and applying the form of accounts determined by the council (receipts and payments, or income and expenditure) for a year to 31 March. A completed draft annual return shall be presented to each councillor before the end of the following month of May. The annual return of the council, which is subject to external audit, including the annual governance statement, shall be presented to council for consideration and formal approval before 30 June.

### **18. 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;





## FULFORD PARISH COUNCIL STANDING ORDERS

- 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. procurement policies (subject to standing order 18(c) below) including the setting of values for different procedures where a contract has an estimated value of less than £30,000.
- b Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £30,000 but less than the relevant thresholds referred to in standing order 18(f) is subject to the "light touch" arrangements under Regulations 109-114 of the Public Contracts Regulations 2015 to find a tender website / The Contracts Finder unless it proposes to use an existing list of approved suppliers (framework agreement).**
- d Subject to additional requirements in the financial regulations of the council, the tender process for contracts for the supply of goods, materials, services, or the execution of works shall include, as a minimum, the following steps:
- i. a specification for the goods, materials, services, or the execution of works shall be drawn up;
  - ii. an invitation to tender shall be drawn up to confirm (i) the council's specification (ii) the time, date, and email address for the submission of tenders (iii) the date of the council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
  - iii. the invitation to tender shall be advertised in a local newspaper or in any other manner that is appropriate;
  - iv. tenders are to be submitted by email marked as "Tender Submission" to the Clerk at [clerk@fulford-pc.gov.uk](mailto:clerk@fulford-pc.gov.uk);
  - v. tenders shall be opened by the Clerk in the presence of at least one councillor after the deadline for submission of tenders has passed;
    - a. tenders are to be reported to and considered by the appropriate meeting of the council or a committee or sub-committee with delegated responsibility.
- e Neither the council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- f Where the value of a public service contract is likely to exceed £213,477 or a public works contract is likely to exceed £5,336,937 (or other threshold specified by the Office of Government Commerce from time to time) the council must consider whether the Public Contracts Regulations 2015 or the Utilities Contracts Regulations 2016 apply to the contract and, if either of those Regulations apply, the Council must comply with procurement rules. NALC's procurement guidance contains further details.**



## **FULFORD PARISH COUNCIL STANDING ORDERS**

### **19. Handling staff matters**

- a A matter personal to a member of staff that is being considered by a meeting of council OR any of its committees is subject to standing order 11 above.
- b Subject to the council's policy regarding absences from work, the council's most senior member of staff shall notify the Chair or, if he is not available, the vice-Chair of absence occasioned by illness or other reason and that person shall report such absence to the Council at its next meeting.
- c The Chair or in his absence, the vice-Chair shall upon a resolution conduct a review of the performance. The reviews and appraisal shall be reported in writing and is subject to approval by resolution by the General Purposes Committee] OR the Council.
- d Subject to the council's policy regarding the handling of grievance matters, the council's most senior employee (or other employees) shall contact the Chair of the Council or in his absence, the vice-Chair in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Council or the General Purposes Committee.
- e Subject to the council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the Council's most senior employee (or other employees) relates to the Chair or vice-Chair of the Council, this shall be communicated to another member of the Council or the General Purposes Committee, which shall be reported back and progressed by resolution of [the Council OR the General Purposes Committee.
- f Any persons responsible for all or part of the management of staff shall treat the written records of all meetings relating to their performance, capabilities, grievance, or disciplinary matters as confidential and secure.
- g The council shall keep all written records relating to employees secure. All paper records shall be secured and locked and electronic records shall be password protected and encrypted.
- h Only persons with line management responsibilities shall have access to staff records referred to in standing orders 19(f) and (g) above if so justified.
- i Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 19(f) and (g) above shall be provided only to (post holder) and the Chair or the Vice-Chair of the Council.

### **20. Requests for information**

- a Requests for information held by the council shall be handled in accordance with the council's policy in respect of handling requests under the Freedom of Information Act 2000



## FULFORD PARISH COUNCIL STANDING ORDERS

and the Data Protection Act 1998.

- b Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Chair of the Council or the Chair of the General Purposes Committee. The said committee shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000.

## 21. Data Protection

- a Under the General Data Protection Regulation 2018 (GDPR) Fulford Parish Council operated under its Record Management Policy adopted in July 2018 and the terms of its General Privacy Notice and Privacy Notice for Staff, councillors, and Role Holders.

## 22. Relations with the press/media

Requests from the press or other media for an oral or written comment or statement from the Council, its councillors or staff shall be handled in accordance with the Council's policy in respect of dealing with the press and/or other media.

## 23. Execution and sealing of legal deeds

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

- a A legal deed shall not be executed on behalf of the council unless authorised by a resolution.
- b **[[Subject to standing order 22(a) above, any two councillors may sign on behalf of the council, any deed required by law and the Proper Officer shall witness their signatures.]**

*The above is applicable to a council without a common seal.*

## 24. Communicating with District and County or Unitary councillors



## **FULFORD PARISH COUNCIL STANDING ORDERS**

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

## **25. Restrictions on councillor activities**

- a. Unless authorised by a resolution, 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.

## **26. Standing orders generally**

- a All or part of a standing order, except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- 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 requirements, shall be proposed by a special motion, the written notice by at least three councillors to be given to the Proper Officer in accordance with standing order 9 above.
- c The Proper Officer shall provide a copy of the council's standing orders to a councillor as soon as possible after they have delivered their acceptance of office form.
- d The decision of the Chair of a meeting as to the application of standing orders at the meeting shall be final.

## **27. STANDING COMMITTEES**

The following shall be the standing committees of the Council:



## **FULFORD PARISH COUNCIL STANDING ORDERS**

**The General Purposes Committee** whose terms of reference shall be:

- i To deal with all matters concerning deeds, leases etc;
- ii To receive and consider tenders, quotations and make recommendations regarding the entering into of contracts for goods or services on behalf of the Council;
- iii To consider and make recommendations of Annual Estimates;
- iv To receive Auditors Reports and consider any matters raised therein;
- v To manage details of Council business including standing orders, appointment of representatives to outside bodies (other than those appointed by Council) and arrangements for public consultation;
- vi To settle salaries and wages and other conditions of service and to give effect to decisions, awards, and recommendations of national and provincial joint negotiating bodies;
- vii To deal generally with the provision of suitable personnel to carry out the work of the Council and matters affecting their recruitment, promotion, dismissal, qualifications, training, welfare, working conditions, re-grading, and disciplinary matters;
- viii To arrange for an annual performance appraisal of all staff and for suitable staff training;
- ix To deal with any other matter which does not fall within the terms of reference of any other committee.
- x To carry out periodic checks on the council's systems of internal control and to present report of findings to council.

**The Cemetery Committee** (to include 3 appointees from City of York Council and 1 further appointee) whose terms of reference shall be to discuss and recommend general policy for the maintenance and improvement of Fulford Cemetery and within the provisions of the Cemetery Agreement between the Council and the City of York Council dated 1<sup>st</sup> April 2006. The Cemetery Committee has delegated powers to set its budget and for all subsequent expenditure within that agreed budget.

**The Planning Committee** whose terms of reference shall be to deal with all matters relating to planning applications and any other matter emitted by the local planning authority which either clearly concerns or touches upon matters for which the Council is a statutory consultee including but not limited to the Local Plan, neighbourhood plan, developments in the green belt, threats and opportunities under the Localism Act, infrastructural developments outside the boundaries of the civil parish, and all similar matters on which the Council desires to express support or object.



## **FULFORD PARISH COUNCIL STANDING ORDERS**

### **28. WORKING GROUPS**

- a. Unless there is a Council resolution to the contrary, every committee may appoint a working group whose terms of reference shall be determined by resolution of the committee.
- b. The following shall be appointed working groups of the Council:

By the General Purposes Committee: the Social Hall working group will pursue the general maintenance, improvement and general administration of the Social Hall and promoting the facility; the Open Spaces working group will manage, manage and seek to improve all areas of public open space (including the village green) owned by the Council, including grass cutting, liaising with various leisure organisations including the Sports Club(s), the provision and maintenance of bus shelters, seats, play equipment and allotments; the HR Panel will discuss and may make recommendations on employment matters; the Fulford Climate and Ecological Emergency working group will Inform and advise Fulford Parish Council about opportunities for local action to promote resilience to the effects of climate change; Involve local people in discussions about opportunities for local action; Prepare a draft Strategy for Action, to be submitted to Fulford Parish Council for consideration; Coordinate action towards making Fulford a sustainable community, by making Fulford parish carbon neutral and working to reverse nature loss; Set targets and measure progress against that goal.

By the Planning Committee: the Planning working group will prepare responses to planning applications for submission to full Council and such other reports, undertakings and planning responsibilities as delegated to them by Planning Committee or full Council.

By the Cemetery Committee: the Cemetery Management working group (of which the Cemetery Superintendent is a member) will discuss and may make recommendations for the general management, maintenance, and improvement of Fulford Cemetery; the Cemetery Lodge working group will discuss and may make recommendations for the general management, maintenance and improvements to Cemetery Lodge and its renovation project.

- c. The Chair or Vice-Chair of the Council, ex officio, shall be a voting member of every committee and working group.
- d. Every committee and working group shall at its first meeting and before proceeding to any other business elect a Chair who shall hold office until the next Annual Meeting of the Council.

### **29. SAFEGUARDING OF COUNCIL RECORDS**

The Clerk will retain records and documents in line with guidelines issued by NALC and SLCC. These may be in written paper form or electronic. All documents and files (including cemetery records) will be backed up on to a hard drive every three months. The hard drive to be



## **FULFORD PARISH COUNCIL STANDING ORDERS**

password protected and placed in the safe at the cemetery. The Chair of the Council will be given the password so that the Council will be in a position to access its records if required. Personnel files will be kept confidential, and the Council will subscribe to the Data Protection service.





# **FULFORD PARISH COUNCIL STANDING ORDERS**

## **Fulford Parish Council Addendum to Standing Orders - Adopted 5<sup>th</sup> May 2020**

### **INTRODUCTION:**

The following Standing Orders are an addendum to the Standing Orders (SOs) for Fulford Parish Council to enable the effective management of meetings held remotely due to the Coronavirus pandemic; in all other matters, Fulford Parish Council Standing Orders apply.

### **CONVENING:**

- a. A remote meeting of the Council or of one of its committees will be convened in accordance with Paragraph 10 of the Local Government Act 1972 using the Zoom Video Conferencing Professional Platform.
- b. The council will ensure that all non-confidential meeting papers are posted on its website and where possible, on the website of the principal authority for its district area.

### **CHAIR'S ROLE:**

All meetings shall commence with a statement from the council Chair, outlining the procedures to be undertaken to hold a lawful and effective remote meeting and will highlight the requirement for all councillors and non-councillors with voting rights to observe the code of conduct adopted by the Council.

### **PRESENT:**

Councillors are deemed present for the purposes of any remote meeting, when they can speak, hear, and be heard via the Zoom platform.

Where the council has taken reasonable measures to provide guidance and support to a councillor to join a remote meeting, but that member is experiencing difficulties that are outside of the control of the council, the lack of attendance of the member shall not invalidate a properly convened and quorate meeting

All councillors present will be required to state their name prior to the commencement of the meeting.

### **QUORUM:**

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.

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.

### **VOTING:**

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.

The Chair 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 they gave an original vote.

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 their vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.



## **FULFORD PARISH COUNCIL STANDING ORDERS**

A vote is defined as a raised hand. In the event that visual connection is lost, the “raised hand” facility on the Zoom platform would suffice to cast a vote. The minutes will reflect the decision of the council.

### **COUNCIL/COMMITTEE DISCUSSION:**

Members will use the “raised hand” facility on the Zoom platform to make the Chair aware of their wish to contribute to the discussion.

### **DECLARATIONS OF INTEREST IN AN ITEM OF BUSINESS TO BE TRANSACTED AT THE MEETING:**

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.

Where a member has declared a disclosable pecuniary interest or another interest, the member will leave the meeting during the discussion of that item and will be informed by text message from the Clerk when that item has concluded, and they may return to the meeting.

### **PUBLIC PARTICIPATION:**

The meeting agenda must state that any member of the public who wishes to attend the meeting must contact the Clerk by email or telephone to request the meeting ID and Password at least one hour in advance of the meeting in order to gain access to the meeting.

The period of time designated for public participation at a meeting shall not exceed 15 minutes unless directed by the Chair of the meeting; a member of the public shall not speak for more than 3 minutes.

The Chair will ask each member of the public, joining the meeting by Zoom, if they wish to contribute to this session.

Members of the public joining the meeting by Zoom shall use the “raised hand” or physically raise their hand – the Clerk will make a note of these, and they will be invited to speak by the Chair.

### **EXCLUSION OF THE PRESS AND PUBLIC:**

All meetings of the council and its committees must be available for the press and public to attend (i.e. open to the public).

The council or a committee may resolve to exclude the press and public, from a meeting (whether during the whole or part of the proceedings), due to publicity of the matter being prejudicial to the public interest, by reason of the confidential nature of the business to be transacted or for other special reasons.

Wherever possible, any agenda items which may require the exclusion of the press and public from a meeting will be conducted at the end of the agenda and once excluded, the press and public’s presence on the Zoom meeting will be removed by the Clerk.

Signed \_\_\_\_\_  
Chair