

RAINFORD PARISH COUNCIL.

STANDING ORDERS.

(Revised 28 July 2014)

MEETINGS

1. Meetings of the Council shall be held at the Rainford Village Hall at 7 o'clock in the evening unless the Council shall otherwise decide.
2. The Statutory Annual Meeting (a) in an election year shall be held on the Friday next following the fourth day after the ordinary day of elections to the Council and (b) in a year which is not an election year shall be held on the fourth Friday in May.
3. Additional meetings of the Council shall be held on the fourth Monday in each month except August, unless such date is a public holiday in which case the meeting shall be held on the previous Monday.

CHAIRMAN OF MEETINGS

4. The person presiding at a meeting may exercise all the powers and duties of the Chairman 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, that shall be the 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 bylaws made by a District Council.
 - (f) To certify copies of bylaws made by the Council.
 - (g) To sign summonses to attend meetings of the Council.

In any other case the proper officer shall be the person nominated by the Council and in default of nomination, the Clerk.

QUORUM

6. Six members shall constitute a quorum, but a motion to suspend standing orders shall not be moved without written notice signed by twice as many members as constitute the quorum.
7. If a quorum is not present when the Council meets or if during a meeting the number of Councillors present 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 Chairman may fix.

VOTING

8. Members shall vote by show of hands, or, if at least two members so request, by signed ballot.
9. 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 or abstained.
10. (1) Subject to (2) and (3) below the Chairman may give an original vote on any matter put to the vote.(2) Subject to (3) below the Chairman may not give an original vote in the election of the Chairman on any occasion when he will himself immediately after such election retire from the Council.
(3) In any case of an equality of votes, the Chairman may give a casting vote.

ORDER OF BUSINESS

10. At each Annual Meeting the first business shall be
- (a) To elect a Chairman.
 - (b) To receive the chairman's declaration of acceptance of office or, if not then received, to decide when it shall be received.
 - (c) To elect a Vice-Chairman.
 - (d) To appoint statutory or standing committees.
- and shall thereafter follow the order set out in Standing Order 13.

In an election year Councillors should execute Declarations of Acceptance of Office in each others presence, or in the presence of a proper officer previously authorised by the Council to take such declaration, before the Annual Meeting commences.

11. At every meeting other than the Annual Meeting the first business shall be to appoint a Chairman if the Chairman and Vice-Chairman be absent and to receive such declaration 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.
12. After the first business has been completed the order of business, unless the Council otherwise decides on the ground of urgency, shall be as follows:
- (a) Apologies.
 - (b) To read and consider the Minutes. After consideration to approve the signature of the Minutes by the presiding Chairman as a correct record.
 - (c) Matters arising unless already on the agenda under another heading.
 - (d) To deal with business expressly required by statute to be done.
 - (e) Correspondence.
 - (f) Committee Reports.
 - (g) Any other business specified in the summons. Members reports and questions.
13. 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.
 - (b) Shall be put to the vote without discussion.

RESOLUTIONS MOVED ON NOTICE

14. Except as provided by these Standing Orders, no resolution may be moved unless 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.
15. The Clerk shall date every notice of motion or recommendation when received by him, shall number each notice in the order in which it was received and such notice or recommendation shall be open to inspection by every member of the Council.
16. 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.
17. If a resolution or recommendation specified in the summons be not moved, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.
18. Every resolution or recommendation shall be relevant to some question over which the Council has power or which affects its area.

RESOLUTIONS MOVED WITHOUT NOTICE

19. 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

(The two following resolutions are governed by the Standing Orders on the admission of the public to meeting).

(l) To exclude the press.

(m) To exclude the public.

(The next resolution is governed by the Standing Order on Disorderly Conduct).

(n) To silence or eject from the meeting a member named for misconduct.

(The next resolution is governed by the Standing Order on members interested in contracts and other matters).

(o) To invite a member having an interest in the subject matter under debate to remain.

(p) To give the consent of the Council where such consent is required by these Standing Orders.

QUESTIONS

20. A member may ask the chairman any question concerning the business of the Council.

21. A member with or without notice may ask the chairman of a Committee any question upon the proceedings of the Committee then before the Council if the question is put before the Council's consideration of those proceedings is finished.

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

23. A person to whom a question has been put may decline to answer.

RULES OF DEBATE

24. No discussion shall take place upon the Minutes except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chairman.

25. (a) A resolution or amendment shall not be discussed unless it has been proposed and unless proper notice has already been given, it shall, if required by the Chairman, be reduced to writing and handed to him before it is further discussed or put to the meeting.

(b) A member shall direct his speech to the question under discussion or to a personal explanation or to a question of order.

(c) 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.

(d) An amendment shall not have the effect of negating the motion before the Council.

(e) 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.

(f) A further amendment shall not be moved until the Council has disposed of every amendment previously moved.

(g) A member may rise to make a point of order or a personal explanation. A personal explanation shall be confined to some material part of a former speech by him which may have been misunderstood. A member rising for these purposes shall be heard forthwith.

(h) A motion or amendment may be withdrawn by the proposer with the permission of the seconder, 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.

(i) When 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.
- (iii) To adjourn the debate.
- (iv) That the question be now put.
- (v) That a member named be not further heard.
- (vi) That a member named to leave the meeting.
- (vii) That the resolution be referred to a committee.
- (viii) To exclude the public or the press or both.
- (ix) To adjourn the meeting.

26. (a) The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed.

(b) Members shall address the Chairman.

(c) If two or more members wish to speak, the Chairman shall call upon one of them to do so.

(d) Whenever the Chairman rises during a debate all other members shall be seated and silent.

CLOSURE

27. 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 and if the Chairman is of the opinion that the question before the Council has been sufficiently debated (but not otherwise), he shall forthwith put the motion.

DISORDERLY CONDUCT

28. (a) No member shall misconduct himself at a meeting by persistently disregarding the ruling of the Chairman, by wilfully obstructing business, or by behaving irregularly, offensively, improperly or in such a manner as to scandalise the Council or bring it into contempt or ridicule.

(b) If, in the opinion of the Chairman, a member has so misconducted himself, 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.

(c) If either of the motions mentioned in paragraph (b) is disobeyed, the Chairman may suspend the meeting or take such further steps as may reasonably be necessary to enforce them.

ALTERATION OF RESOLUTION

29. A member may, with consent of his seconder, move amendments to his own resolution.

RESCISSION OF PREVIOUS RESOLUTION

30. (a) A decision (whether affirmative or negative) of the Council shall not be reversed within two months save by a special resolution, the written notice whereof bears the names of at least six members of the Council.

(b) When a special resolution has been disposed of, no similar resolution may be moved within a further two months.

(c) This Standing Order shall not apply to resolutions moved in pursuance of the report or recommendation of a committee.

VOTING ON APPOINTMENTS

31. 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 of votes is given in favour of one person.

DISCUSSIONS AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL

32. 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 public shall be excluded.

RESOLUTIONS ON EXPENDITURE

33. Any motion, which, if carried, would, in the opinion of the Chairman, substantially increase the expenditure upon any service which is under the management of 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.

COMMITTEES

34. The Council may at the 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 at any time dissolve or alter the membership of a Committee.

36. The Chairman shall be a member of every Committee.

37. 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.

38. The Chairman of a Committee or the Chairman of the Council may summon a special meeting of that Committee at any time. A special 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.

39. Except where ordered by the Council the quorum of a Committee shall be one-half of its members or three members, whichever is the greater.
40. The Standing Orders on rules of debate and the Standing Orders on interests of members in contracts and other matters shall apply to committee meetings insofar as they are appropriate.

VOTING IN COMMITTEES

41. Members of committees shall vote by show of hands.
42. Chairmen of committees shall have a second or casting vote.

PRESENCE OF NON-MEMBERS OF COMMITTEES AT COMMITTEE MEETINGS

43. A member who has proposed a motion which has been referred to any committee of which he is not a member, may explain his motion to the committee but shall not vote.
44. Any Council member shall, unless the Council otherwise orders, be entitled to be present as a spectator at the meetings or any committee of which he is not a member.

ACCOUNTS AND FINANCIAL STATEMENT

45. (a) Except as provided in paragraph (b) of this Standing Order or by statute, all accounts for payment and claims upon the Council shall be laid before the Council.
- (b) Where it is necessary to make a payment before it has been authorised by the Council, such payment shall be certified as to its correctness and urgency by the appropriate officer. Unless it has been otherwise authorised by the Council, payment shall be authorised by the Chairman or Vice-Chairman of the Council or the Chairman of the Finance, Planning & Administration Committee.
- (c) All payments authorised under sub-paragraph (b) of this Standing Order or made without authority of the Council shall be separately included in the next schedule of payments laid before the Council.
46. The Clerk shall supply each member at the ordinary meeting next after the end of the Financial Year with a statement of income and expenditure and balance sheet.

INTERESTS

47. If any member has any pecuniary interest, direct or indirect, within the meaning of current applicable legislation, in any contract, proposed contract or other matter, he shall, while it is under consideration by the Council, withdraw from the meeting unless the Council invite him to remain; or 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.
48. The Clerk shall record in a book to be kept for the purpose; particulars of any notice given by any member or any officer of the Council of a pecuniary interest in a contract, and the book shall be open during reasonable hours of the day for the inspection of any member.
49. 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 to do so 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 relationship to a member is disclosed the Standing Orders on interests of members in contracts and other matters shall apply. The Clerk shall make known the purport of this Standing Order to every candidate.

INSPECTION OF DOCUMENTS

50. 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.

51 (a) All Minutes kept by the Council and by any Committee shall be open for the inspection of any member of the Council.

(b) The Minutes of the Council shall be open to inspection by any local government elector of the parish without charge.

UNAUTHORISED ACTIVITIES

52. No member of the Council or of any Committee shall in the name of or on behalf of the Council issue orders; unless authorised to do so by the Council or the relevant Committee.

ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

53. The public and the press shall be admitted to all meetings of the Council and its committees, which may, however, temporarily exclude the public or the press or both by means of the following resolution, viz;

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

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

55. If a member of the public interrupts the proceedings at any meetings, the Chairman may, after warning, order that he be removed from the Council Chamber or that the part of the Chamber open to the public be cleared.

CONFIDENTIAL BUSINESS

56. No member of the Council or of any committee shall disclose to any person not a member of the Council any business declared to be confidential by the Council or the committee as the case may be.

PROTOCOL FOR WEARING OF REGALIA

57. The Chain and Badge will be worn by the Chairman of the Council on the following Civic occasions:

- All meetings of the Parish Council
- Chairman’s inauguration ceremony
- All Civic Church services
- Walking Day Service and parade
- Remembrance Day Service and parade
- Parish Council’s Carol Service
- Royal visits
- Wedding Anniversaries
- Art Exhibition

The Chain and Badge may be worn on any other occasion for which the Chairman for the time being in his or her discretion considers it appropriate.

In all other circumstances that warrant the wearing of any regalia, the Badge and ribbon may be used.

LIAISON WITH BOROUGH COUNCILLORS

- 58 A notice of meeting shall be sent together with an invitation to attend to the Borough Councillors for the ward. Copies of Council Minutes shall be forwarded to the Borough councillors and placed on the Council's web-site.

**VARIATION, REVOCATION AND SUSPENSION OF
STANDING ORDERS**

59. Any part of the Standing Orders except those printed in bold type may be suspended by resolution in relation to any specific item of business.
60. A motion permanently to vary or revoke a Standing Order shall when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

STANDING ORDERS TO BE GIVEN TO MEMBERS

61. A printed copy of these Standing Orders shall be given to each member by the Clerk upon delivery to him of the member's declaration of acceptance of office.

July 2014