

**THORNER PARISH COUNCIL
STANDING ORDERS DECEMBER 2020**

1. MEETINGS

Meetings of the Council will usually be held on the first Tuesday of each month. Meetings of the council shall be held at an appropriate venue, at 19:00 unless the council otherwise decides at a previous meeting.

In a non-election year, the Annual Parish Council meeting is held on any day in May. In an election year, the Annual Parish Council Meeting shall be held on or within 14 days following the day on which the councillors elected take office.

An extraordinary meeting of the parish council may be called at any time by the Chair and in his absence by the Vice Chair.

2. CHAIR OF THE MEETING

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

3. QUORUM

THREE members or one third of the total membership, whichever is the greater, shall be required for a quorum at meetings of the Parish Council.

If a quorum is not present or if during a meeting the number of councillors present (not including those debarred by reason of a declared interest), falls below the required quorum, from that point no further business shall be transacted, with all untransacted business being carried forward to the next scheduled meeting or at an extra ordinary meeting.

4. PROPER OFFICER

Where a statute, regulation or order confers functions or duties on the proper officer of the Council in the following cases, he or she shall be the Clerk or nominated officer;

- i To receive declarations of acceptance of office.
- ii To receive and record notices disclosing pecuniary interests.
- iii To receive and retain plans and documents.
- iv To sign notices and other documents on behalf of the Council.
- v To receive copies of bye-laws made by Leeds City Council..
- vi To sign summonses to attend meetings of the Council.
- vii To receive and record notices disclosing pecuniary and any other interests at meetings by members where relevant.
- viii To keep proper records for all Council meetings.

5. VOTING ON APPOINTMENTS

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. The Chair in the case of an equality of votes, may give a casting vote.

6. ORDER OF BUSINESS

In an election year councillors should execute Declarations of Acceptance of Office in each other's presence, or of a proper officer previously authorised by the Council to take such declaration before the annual meeting commences.

At each Annual Parish Meeting the Chair shall present a report.

At each Annual Parish Council Meeting the first business shall be;

- i To elect a Chair.
- ii To elect a Vice-Chair.
- iii To receive the Chair's declaration of Acceptance of Office or, if not received, to decide when it shall be received.
- iv To decide when any declarations of Acceptance of Office, which have not been received as provided by law, shall be received.
- v May appoint members to working party's or steering groups
- vi At every meeting other than the Annual Parish Meeting the first business shall be to appoint a Chair if the Chair and Vice-Chair are absent.
- vii In every other year not later than the Annual Parish Council meeting members shall review the pay and conditions of service of the Clerk and existing employees.
- viii After the first business has been considered, the order of business shall be as stated in the summons.
- ix A motion to vary the order of business on the grounds of urgency, may be proposed by the Chair.

7. RESOLUTIONS WITHOUT NOTICE

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

- i To appoint a Chair of the meeting.
- ii To appoint a nominated officer in the absence of the Clerk
- iii To correct the Minutes.
- iv To approve the Minutes.
- v To proceed to the next business.
- vi To close or adjourn the debate.
- vii To refer the matter to a working party or steering group
- viii To adopt a report.
- ix To amend a resolution.
- x To give leave to withdraw a resolution or an amendment,
- xi To exclude the public.
- xii To silence or eject from the meeting a member named for misconduct.
- xiii To allow a member having an interest in the subject matter under a debate to remain.
- xiv To give the consent of the Council where such a consent is required by these Standing Orders.

8. RULES OF DEBATE

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 Chair.

A resolution or amendment shall not be discussed unless it has been proposed and seconded, and, unless proper notice has already been given, it shall, if required by the Chair, be reduced to writing and handed TO THEM before it is further discussed or put to the meeting.

Any amendment shall not have the effect of negating the resolution before the Council.

If an amendment be carried, the resolution, as amended, shall take the place of the original resolution and shall become the resolution upon which any further amendment may be moved. A further amendment shall not be moved until the Council has disposed of every amendment previously moved.

When a resolution is under debate no other resolution shall be moved except:-

- 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 do leave the meeting.
- vii. That the resolution be referred to a committee.
- viii. To exclude the public and press.
- ix. To adjourn the meeting.

A member shall remain seated when speaking unless requested to stand by the Chair. The ruling of the Chair on a point of order or on the admissibility of a personal explanation shall not be discussed.

Members shall address the Chair.

If two or more members wish to speak, the Chair shall decide whom to call upon.

Whenever the Chair speaks during a debate all other members shall be silent.

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 Chair 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 put the question immediately.

9. DISORDERLY CONDUCT

All members must observe the Code of Conduct

No member shall at a meeting persistently disregard the ruling of the Chair, wilfully obstruct business, or behave irregularly, offensively, improperly or in such a manner as to scandalise the Council or bring it into contempt or ridicule.

The Chair may suspend or adjourn the meeting or take such further steps as may be reasonably necessary to enforce them.

10. VOTING

Members shall vote by show of hands, unless a ballot vote is requested and approved by a show of hands vote.

The Chair in the case of an equality of votes may give a casting vote

If the person presiding at the Annual Parish Council Meeting would have ceased to be a member of the Council but for statutory provisions which preserve the membership of the Chair and Vice-Chair until the end of their term in office, they may not give an original vote in an election for Chair

The person presiding must give a casting vote whenever there is an equality of votes in an election for Chair.

11. RECISSION OF DECISION

Any decision by the Council shall not be reversed within six months.

12. QUESTIONS

A member may ask the Chair 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.

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

Every question shall be put and answered without discussion.

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

13. ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

The public shall be admitted to all meetings as observers of the Council however they may be temporarily excluded, in the following cases;

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

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

With regard to the Openness of Local Government Regulations 2014;

Members of the public, including citizens and professional journalists, are allowed to use modern technology and communication methods such as filming, audio-recording, blogging and tweeting to report the proceedings of the meetings of English councils and other local government bodies.

The Parish Council has adopted an open media policy which does not restrict engagement with the press.

The Chair shall allow FIVE minutes to receive representations from members of the public.

14. REPRESENTATIONS AND PUBLIC PARTICIPATION

If a member of the public interrupts the proceedings at any meeting, the Chair may, after warning, order that he/she be removed from the Council meeting.

At the Chairs discretion, there can be further questions from members to the representation being conducted.

15. PLANNING APPLICATIONS

The Clerk shall send to the Planning Working Party, unless a declaration has been agreed, the particulars of every planning application recorded in the Parish, It will include;

- i. The date on which it was received:
- ii. The place to which it relates:

Upon the summary of the nature of the application, a response will be lodged by the Clerk based on the member's comments

16. DISCUSSIONS AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL

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 has decided whether or not the public shall be excluded

17. WORKING PARTY AND STEERING GROUP

The Council may at the Annual Parish Council Meeting appoint a working party or steering group and at any other time appoint such other working party or steering group as are necessary, but subject to any Terms of Reference approved at a full meeting of the Parish Council.

The Council may at any time dissolve or alter the membership of the working party or steering group.

A minimum of TWO members shall be on every working party or steering group.

Any proposals made, shall be reported at the next Parish Council meeting.

18. TERMS OF REFERENCE FOR A WORKING PARTY OR STEERING GROUP

Membership of a Working Party or Steering Group will be formed from residents and the local business community of Thorner as well as TWO members from the Parish Council.

Membership of the Finance Working Party will consist only of Parish Councillors.

The Clerk will obtain the residents permission for their personal contact details to be used (to comply with GDPR), to enable the Working Party to contact them.

Upon receipt of permission, the Clerk will add them to the Working Party membership and inform the Working Party as such. They can then take part in any discussions of the Working Party.

Membership of the Working Party or Steering Group should be no more than 15 persons and will meet and discuss matters on a regular basis.

The use of volunteers within the Working Party is to encouraged and will be subject to the Volunteer Policy.

Members will be encouraged to participate and provide their views and opinions on the specific topics of each Working Party or Steering Group.

Inform the Parish Council of progress on a regular basis.

The Working Party or Steering Group will operate as an advisory group without delegated decision-making powers and must submit its proposed work programme to TPC for approval prior to the commencement of any work.

The Working Party or Steering Group will treat other members with respect and dignity, allowing members to express their views without prejudice and interruption.

The Parish Council will:

Support the Working Party or Steering Group in efforts of engagement and consultation with the local community and any other outside bodies.

Support the Working Party or Steering Group by providing financial assistance, all expenditure will be shown in Parish Council annual accounts under appropriate headings.

Prior to any financial assistance being given, all amounts must be presented and will be subject to final approval by the Parish Council.

19. CANVASSING OF AND RECOMMENDATIONS BY MEMBERS

Canvassing of members directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make known the purpose of this sub-paragraph to every candidate.

A member of the Council shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but, nevertheless, a member may give a written testimonial for submission to the Council with an application for appointment.

20. INSPECTION OF DOCUMENTS

A member may for any purpose of his duty as such (but not otherwise), inspect any document in the possession of the Council or a working party or steering group, and if copies are available shall, on request, be supplied for the like purpose with a copy.

All Minutes kept by the Council shall be open for the inspection of any member of the Council or member of the public.

21. INTERESTS

Members must declare any personal or pecuniary interest included on the Agenda but also;

1. Within 28 days of your election or co-option, you must notify the District Council's monitoring officer of any 'disclosable pecuniary interests' which you have at that time.
2. Where you are re-elected or re-appointed, notification is only required of any disclosable pecuniary interests not previously notified within 28 days of your election or co-option.

If a member who has declared a personal interest then considers the interest to be prejudicial, he must withdraw from the room during consideration of the item to which the interest relates.

A member must disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-18 of the Members' Code of Conduct. Also declare any other significant interests which the Member wishes to declare in the public interest, in accordance with paragraphs 19-20 of the Members' Code of Conduct.

22. UNAUTHORISED ACTIVITIES

No member of the Council (or of any working party or steering group) shall in the name of or on behalf of the Council;

- i Speak or be representative of the views of the Council
- ii Inspect any land or premises, unless authorised to do so by the Council.
- iii Shall disclose to any person not a member of the Council, any business declared to be confidential by the Council,

23. LIAISON WITH THIRD PARTIES AND THE PUBLIC

A copy of the minutes shall, at the discretion of the Parish Council, be sent to District Councillors for the Ward, the Police and the Press.

24. CODE OF CONDUCT

All members must observe the Thorner Parish Council Code of Conduct, as adopted by the Council in October 2012.

All members are issued with a copy of the Code of Conduct.

25. CODE OF CONDUCT ON COMPLAINTS

The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or member, in accordance with its complaints procedure.

26. STANDING ORDERS TO BE GIVEN TO MEMBERS

A 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.

Adopted; 02 February 2021