

Rottingdean Parish Council Standing Orders - Revised May 2020

STANDING ORDERS 2020

The Chair of Rottingdean Parish Council has the right to vary or suspend the following Standing orders of the parish council if required. Meetings

1. There is a requirement for the Parish Council to have four statutory meetings in a calendar year.
 - 1.1 The statutory annual meeting: • in an election year shall be held by the working day next following the fourth day after the ordinary day of elections to the Council; and • in a year which is not an election year shall be held by the next working day after the second Monday in May. • to receive declarations of acceptance of office • to receive and record notices disclosing pecuniary interests • to receive and retain plans and documents • to sign notices or other documents on behalf of the Council • to receive copies of byelaws made by Brighton and Hove City Council • to certify copies of byelaws made by the Council • to sign summonses to attend meetings of the Council
 - 1.2 **The 3 other statutory meetings** shall be held on the first Monday in the months of July, November and February.
 - 1.3 Additional meetings may be held on the first Monday of the remaining months.
 - 1.4 Meetings of the Council start at 7.30pm unless the Council otherwise decides at a previous meeting.
 - 1.5 Councillors who have signed a declaration of acceptance of office, have a responsibility to attend council meetings when summoned to do so; the notice to attend a council meeting is, in law, a summons because you have a duty to attend. The Clerk must be informed of the reasons why a councillor is not able to attend.
 - 1.6 **A Members Code of Conduct** is to sit alongside published guidance “Being a good councillor” available from www.nalc.gov.uk and www.slcc.co.uk.

Role of the Clerk to the Council I.e. Proper Officer

- 1.7 Where a statute, regulation or order confers functions or duties on the proper officer of the Council in the following cases, he/she shall be the Clerk: In any other case the proper officer shall be the person nominated by the Council, and, in default of nomination, the Clerk.
 - 1.7A **Urgent/Emergency Meeting Provision** The Council may agree by a majority vote (by email or at an ordinary meeting) to hold a meeting to conduct urgent business only. If circumstances make it unwise or impractical to conduct this as a public meeting, the Council may elect to meet online or to delegate decision-making for a period of not longer than 3 months to the Clerk in consultation with the Chair and Vice-Chair, as per National Association of Local Councils guidance. In the event of this

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Scheme of Delegation being adopted, the quorum shall constitute two members plus Clerk. This provision to be reviewed at the end of the agreed period.

Quorum

1.8 Three Members shall constitute a quorum.

1.9 If a quorum is not present when the Council meets or if during a meeting the number of Councillors present and not debarred by reason of a declared pecuniary or other interest falls below the quorum, the business not transacted at that meeting shall be transacted at the next meeting or on such other day as the Chair may fix.

Voting

1.10 Members shall vote by show of hands, or, if a majority of those present so request, by signed ballot.

1.11 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.

1.12 Subject to (a) and (b) below the Chair may give an original vote on any matter put to the vote, and in the case of an equality of votes may give a casting vote even though he/she gave no original vote. (a) If the person presiding at the annual meeting would have ceased to be a Member of the Council but for the statutory provisions which preserve the membership of the Chair and Vice Chair until the end of their term of office he may not give an original vote in an election for Chair. (b) The person presiding must give a casting vote whenever there is an equality of votes in an election for Chair.

BUSINESS AT THE ANNUAL MEETING

1.13 The order of business at the annual meeting is: • to elect a Chair • to receive the Chair's declaration of acceptance of office or, if not then received, to decide when it shall be received • in the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations • to decide when any declarations of acceptance of office which have not been received as provided by law shall be received • to elect a Vice Chair • to appoint Committees • to consider the payment of any subscriptions falling to be paid annually.

1.14 In every year not later than the meeting at which the estimates for next year are settled, the Council shall review the pay and conditions of service of existing employees.

ORDINARY COUNCIL MEETINGS

1.15 At every meeting other than the annual meeting the first business shall be to appoint a Chair **if** the Chair and Vice Chair be absent and to receive such declarations of

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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.

Role of the 'Chair'

- 1.16 The persons presiding at a meeting may exercise all the powers and duties of the Chair in relation to the conduct of the meeting.
- 1.17 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: • to read and agree the draft Minutes • after consideration to approve the signature of the minutes by the person presiding as a correct record • to deal with business required to be done • other business specified in the Agenda.

Resolutions

- 1.18 Except as provided in 1.19, a resolution of the Council may only be moved if it has been seconded and: (a) if notice of the resolution has been given at least five clear days before the next meeting of the Council; or (b) if a majority of the Members present agree that it should be moved at that meeting.

Resolutions moved without Notice

- 1.19 Resolutions dealing with the following matters may be moved without notice: (a) to appoint a Chair of the meeting (b) to correct the minutes (c) to approve the minutes (d) to alter the order of business (e) to proceed to the next business (f) to close or adjourn the debate (g) to refer a matter to a Committee (h) to appoint a Committee or any Members thereof (i) to adopt a report (k) to amend a motion (l) to give leave to withdraw a resolution or an amendment. to exclude the public (n) to silence or eject from the meeting a Member for misconduct (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 (q) to suspend any Standing Order (r) to adjourn the meeting.

Right to reply

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

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Rules of debate

1.21 The Chair shall have the right to limit the length of time and the number of times a Member may speak on a resolution and to insist that only one person speaks at once. Whenever the Chair rises during a debate, all other Members shall be seated and silent.

Public input

1.22 The public cannot take part in any of the proceedings of a formal Council meeting but will be allowed to comment or make observations (immediately prior to the start of a formal meeting - on items on the agenda in advance of the main meeting. There will be a time limit of 3 minutes on any agenda item that an individual member of the public chooses to discuss. However, the Chair has the right to extend this time limit, should this be considered appropriate.

Conduct in meetings

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

1.24 If, in the opinion of the Council, a Member has broken the provisions of the above paragraph of this order, the Chair 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 leaves the meeting, and the motion, if seconded, shall be put forth with and without discussion.

1.25 If either of the motions mentioned in above is disobeyed, the Chair may suspend the meeting or take such further steps as may be reasonably necessary to enforce them. The Chair shall have the necessary powers to ensure that Members conform to the recognized discipline of the meeting or either be silenced or removed.

Rescission of previous resolution

1.26 A decision (whether affirmative or negative) of the Council shall not be reversed within six months except either by a special resolution, the written notice whereof bears the names of at least three Members of the Council, or by a resolution moved in pursuance of the report or recommendation of a Committee.

1.27 When a special resolution or any other resolution moved under the provisions of this Order has been disposed of, no similar resolution may be moved within a further six months.

Voting on appointments

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1.28 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 Council employees

1.29 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.

Expenditure

1.30 Orders for the payment of money shall be authorised by resolution of the Council and signed by two Members.

Committees

1.31 The Council may at its Annual Meeting appoint standing committees and may at any other time appoint such other committees as are necessary (subject to any statutory provision) but:

- shall not appoint any Member of a Committee so as to hold an office later than the next Annual Meeting.
- may appoint persons other than Members of the Council to any Committee and
- may, subject to the provisions of 1.20 above, at any time dissolve or alter the membership of a Committee.

1.32 The Chair or Vice Chair ex officio shall be a Member of every Committee.

1.33 Except where ordered by the Council, the quorum of a Committee shall be one half of its Members.

1.34 The Standing Order on interests of Members shall apply to Committee meetings.

ADVISORY GROUPS

1.35 The Council may appoint Advisory Groups. Members entitled to vote shall vote by show of hands, or if the majority of Members present so request, by signed ballot. The Advisory Group Chair shall in the case of an equality of votes have a second or casting vote. Terms of Reference for the Advisory Groups are:

Terms of reference for RPC Advisory Groups

1. Membership of the Advisory Groups (AG) is agreed by the RPC and published on the RPC website.

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2. The Role of the Groups is to facilitate exploration of issues appertaining to the RPC to formulate policy proposals for consideration and possible adoption by the RPC.
3. The AGs are informal and have no delegated budgets or decision making powers. The Parish Council may, however, agree indicative spend against the areas of responsibility covered the Advisory Groups, as part of RPC annual budget setting.
4. The AGs will report back to the RPC on their activities on at least a quarterly basis.