

# Langton Matravers Parish Council Standing Orders



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# Langton Matravers Parish Council

## Standing Orders



### INTRODUCTION

These standing orders are based on the NALC 2018 model and have been modified to make them appropriate for a council of Langton Matravers' size and structure and as such the detailed numbering occasionally differs from the NALC model. Those standing orders that are in **bold** type contain legal and statutory requirements.

### 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 Chairman 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- c. A motion on the agenda that is not moved by its proposer may be treated by the Chairman of the meeting as withdrawn.
- d. If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the Chairman of the meeting.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 (as amended) becomes the substantive motion upon which further amendment(s) may be moved.
- g. An amendment shall if requested by the Chairman of the meeting, be expressed in writing to the Chairman.
- h. A councillor may move an amendment to /their own motion if agreed by the Chairman of the meeting.
- i. If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the Chairman of the meeting.
- j. Subject to standing order 1(k), only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman of the meeting.
- k. One or more amendments may be discussed together if the Chairman of the meeting considers this expedient but each amendment shall be voted upon separately.
- l. The mover of an amendment has no right of reply at the end of debate on it.
- m. Unless permitted by the Chairman 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;
  - ii. to move or speak on another amendment if the motion has been amended since they last spoke;
  - iii. to move any other motion as defined in standing order 1 (p) below;
  - iv. to make a point of order;
  - v. to give a personal explanation; or
  - vi. to exercise a right of reply.
- n. During the debate on 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 /they consider has been breached or specify the other irregularity in the proceedings of the meeting they are concerned by.
- o. A point of order shall be decided by the Chairman of the meeting and /their decision shall be final.

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- p. When a motion is under debate, no other motion shall be moved except:
- to amend the motion;
  - to proceed to the next business;
  - to adjourn the debate;
  - to put the motion to a vote;
  - to ask a person to be no longer heard or to leave the meeting;
  - to refer a motion to a committee or sub-committee for consideration;
  - to exclude the public and press;
  - to adjourn the meeting; or
  - to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- q. Before an original or substantive motion is put to the vote, the Chairman 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 their right of reply.
- r. Excluding motions moved under standing order 1(p), 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 Chairman of the meeting.

### **2. DISORDERLY CONDUCT AT MEETINGS**

- No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the Chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- If person(s) disregards the request of the Chairman of the meeting to moderate or improve their conduct, the Chairman of the meeting may request that the person(s) be no longer heard or be excluded from the meeting.
- If a request made under standing order 2(b) is ignored, the Chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include suspending or closing the meeting.

### **3. MEETINGS GENERALLY**

- 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.**
- 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.**
- 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.**
- 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. Any question asked by members of the public shall not require a response from the Council during the meeting.
- The period of time designated for public participation at a meeting in accordance with standing order 3(d) shall not exceed twenty minutes unless directed otherwise by the Chairman of the meeting. A member of the public shall not speak on any one topic for more than three minutes unless directed otherwise by the Chairman of the meeting.

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- f. A person shall raise their hand when requesting to speak and stand when speaking (except when excused by the Chairman of the meeting). The Chairman of the meeting may at any time permit a person to be seated when speaking.
- g. A person who speaks at a meeting shall direct their comments to the Chairman of the meeting.
- h. Only one person is permitted to speak at a time. If more than one person wants to speak, the Chairman of the meeting shall direct the order of speaking.
- i. **Subject to standing order 3(j), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.**
- j. **A person intending to report on a meeting shall seek permission from the Chairman of the meeting prior to the start of the meeting so that the Chairman can ensure that meeting will not be disrupted and that members of the public, if they so wish, can take any necessary actions to ensure their anonymity. The permission of the Chairman will not be unreasonably withheld.**
- k. **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.**
- l. **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in their absence be done by, to or before the Vice-Chairman of the Council.**
- m. **The Chairman of the Council, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman of the Council if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**
- n. **Subject to a meeting being quorate, all questions shall be decided by a majority of the votes cast by those present and entitled to vote. 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 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.**
- o. **The Chairman of the meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise a casting vote except when the presiding Chairman is no longer a member of the council in which case the Chairman will not have an original vote but still retains a casting vote in the event of voting equality.**
- p. 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 who are present, the names of councillors who are absent and any apologies accepted;
  - iii. interests that have been declared by councillors and non-councillors with voting rights;
  - iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;
  - v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
  - vi. if there was a public participation session; and
  - vii. the resolutions made.
- q. **No business may be transacted at a meeting unless at least three councillors are present.**

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r. **If a meeting is or becomes inquorate no further business shall be transacted and the meeting shall be closed.**

s. A meeting shall be adjourned if the duration of the meeting, excluding public participation time, exceeds two hours

#### **4. COMMITTEES**

a. **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**

b. The Council may appoint standing committees or other committees as may be necessary, and:

- shall determine their terms of reference;
- shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council;
- shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
- shall appoint and determine the terms of office of members of such a committee;
- shall, after it has appointed the members of a committee, appoint the Chairman of that committee;
- may dissolve a committee or a sub-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 councillors elected take office.**

b. **In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.**

c. **The annual meeting of the Council shall take place at 7pm or such other time as may be determined by the Council.**

d. **In addition to the annual meeting of the Council the Council shall normally meet at 7pm on the second Thursday of each month.**

e. **The first business conducted at the annual meeting of the Council shall be the election of the Chairman and Vice-Chairman of the Council.**

f. **The Chairman of the Council, unless they have 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-Chairman of the Council, unless they resign or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.**

h. Following the election of the Chairman of the Council and Vice-Chairman of the Council at the annual meeting, the business shall include but not be limited to the following:

i. **In an election year, delivery by the Chairman of the Council and councillors of their acceptance of office forms. In a year which is not an election year, delivery by the Chairman of the Council of their acceptance of office form;**

- confirmation of the arrangements for internal audit;
- appoint bank signatories;
- appoint representatives to the Timson Trust and the Village Hall Management Committee;
- review of delegation arrangements to the Clerk/RFO;
- review of the terms of reference for new and existing committees;
- appointment of members to new and existing committees;
- appointment of any Officers and/or portfolio holders;

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- viii. review and adoption of standing orders, financial regulations, risk register, policies and procedures;
- ix. review of arrangements for Direct Debits and Standing Orders that may be required for the coming year;
- x. in an election year, if appropriate, to make arrangements with a view to the Council becoming eligible to exercise the general power of competence; in other years, if appropriate, to renew such powers;
- xi. confirmation of arrangements for insurance cover in respect of all insurable risks;
- xii. review of the Council's and/or staff subscriptions to other bodies;
- xiii. determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.

### **6. EXTRAORDINARY MEETINGS OF THE COUNCIL and COMMITTEES**

- a. **The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
- b. **If the Chairman of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two 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 shall be signed by the two councillors.**
- c. The Chairman of a committee may convene an extraordinary meeting of that committee at any time.
- d. If the Chairman of a committee does not call an extraordinary meeting within seven days of having been requested to do so by two members of that committee, any two members of that committee may convene an extraordinary meeting of that committee.

### **7. PREVIOUS RESOLUTIONS**

- a. A resolution shall not be reversed within 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 Chairman of the meeting.

### **9. MOTIONS THAT REQUIRE WRITTEN NOTICE TO BE GIVEN**

- a. A motion shall relate to the responsibilities of the meeting for which it is tabled 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 except those covered by standing order 10 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 five 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), 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) is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it,



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so that it can be understood, in writing, to the Proper Officer at least five 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 Chairman of the forthcoming meeting to consider whether the motion shall be included in the agenda or rejected.
- f. The decision of the of the Chairman of the meeting as to whether or not to include the motion on the agenda shall be final.
- g. Motions received shall be recorded.
- h. Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for 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;
  - 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 and its members;
  - x. to extend the time limits for speaking;
  - xi. to exclude the press and public from a meeting in respect of confidential or other 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 suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);
  - xv. to temporarily suspend, adjourn or close the meeting;
  - xvi. Any motion which in the opinion of the Chairman of the meeting should not be delayed until a subsequent meeting.

### **11. MANAGEMENT OF INFORMATION**

- a. **The Council Shall manage its information in accordance with relevant legislation.**

### **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).
- c. The accuracy of the draft minutes, including amendment9s) made to them shall be confirmed by resolution and shall be signed by the Chairman the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d. If the Chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, they shall sign the minutes and include and a paragraph in the following terms or to the same effect: "*The Chairman 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 their view*

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*was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings”*

- e. The Council shall publish minutes in accordance with its publication scheme.
- f. Subject to the publication of minutes and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes and/or recordings of the meeting for which approved minutes exist shall be destroyed.

### **13. CODE OF CONDUCT AND DISPENSATIONS**

- a. All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.

### **14. CODE OF CONDUCT COMPLAINTS**

- a. Upon notification by the Dorset 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, report this to the Council.
- b. Where the notification in standing order 14(a) relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of Council of this fact, and the Chairman may nominate another person to assume the duties of the Proper Officer in relation to the complaint until it has been determined and Dorset Council's Hearings Sub Committee has agreed what action, if any, to take.
- c. The Council may:
  - i. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
  - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter.

### **15. PROPER OFFICER**

- a) The Proper Officer shall be the clerk. The Council may appoint a locum when the Proper Officer is absent
- b) The Proper Officer shall:
  - i. **at least three clear days before a meeting of the council or a committee,**
    - **serve on councillors by email authenticated in such manner as the Proper Officer thinks fit, a summons confirming the time, place and the agenda and**
    - **provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**
  - ii. include on the agenda all motions received unless a councillor has given written notice before the meeting confirming /their withdrawal of it
  - iii. **convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in their office;**
  - iv. **facilitate inspection of the minute book by local government electors;**
  - v. **receive and retain copies of byelaws made by other local authorities;**
  - vi. hold acceptance of office forms from councillors;
  - vii. hold a copy of every councillor's register of interests;
  - viii. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
  - ix. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;



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- x. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation, the Council's retention policy and other legitimate requirements;
- xi. arrange for legal deeds to be executed;
- xii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
- xiii. record every planning application notified to the Council and the Council's response to the local planning authority in the agreed manner;
- xiv. refer a planning application received by the Council to the Chairman or in their absence the Vice-Chairman within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Council and
- xv. manage access to information about the Council via the Council's publication scheme.

### **16. RESPONSIBLE FINANCIAL OFFICER**

- a. The Responsible Financial Officer (RFO) shall be the Clerk. The Council may appoint a locum when the RFO is absent.

### **17. ACCOUNTS AND ACCOUNTING STATEMENTS**

- a. Council shall comply with their Financial Regulation (see also standing order 18 below) when maintaining accounts and producing Annual Statements

### **18. FINANCIAL CONTROLS AND PROCUREMENT**

- a. The Council shall consider and approve financial regulations which shall be consistent with proper practice and relevant legislation. The Council shall adhere to these regulations when discharging its financial responsibilities.

### **19. HANDLING STAFF MATTERS**

- a. A matter personal to a member of staff shall be considered by the Staff Employment Discipline and Complaints Committee (SEDACC) in accordance with the committee's terms of reference, the contract of employment, staff policies & procedures and any relevant legislation.

### **20. RESPONSIBILITIES TO PROVIDE INFORMATION**

- a. **The Council shall conform with all Freedom of Information (FOI) legislation.**

### **21. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION**

- a. The Council shall conform with all Data Protection legislation.

### **22. RELATIONS WITH THE PRESS/MEDIA**

- a. 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**

- a. A legal deed shall not be executed on behalf of the Council unless authorised by a resolution. Any two councillors may sign on behalf of the Council any deed.

### **24. COMMUNICATING WITH UNITARY COUNCILLOR**

- a. An invitation to attend a Council meeting shall be sent, together with the agenda, to the Dorset ward councillor representing the area of the Council.

### **25. RESTRICTIONS ON COUNCILLOR ACTIVITIES**

- a. Councillors shall adhere to their obligations set out in the Council's Code of Conduct.

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### **26. STANDING ORDERS GENERALLY**

- a. All or part of a standing order, except one that incorporates mandatory statutory or legal requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b. The decision of the Chairman of a meeting as to the application of standing orders at the meeting shall be final.
- c. Otherwise, the Council shall follow its policies, procedures and regulations.
- d. Otherwise, the Council shall adhere to all relevant legislation and statutory guidance.

Adopted by full Council June 2024