CHARNEY BASSETT PARISH COUNCIL

Standing Orders[1]

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[1] These Standing Orders are based on 'Model Standing Orders 2018 (for England)' published by the National Association of Local Councils (as updated April 2022). Text shown in bold type denotes a statutory requirement.

1 Annual Meeting of the Council

1.1 An annual meeting of the Council must be held. In an election year, this shall be within 14 days of the day on which Councillors take office. In any other year the meeting shall be held on such day in May and at such time as the Council decides.

1.2 At the Annual Meeting the first item of business shall be the election of a Chairman and Vice-Chairman of the Council. Unless they have resigned or been disqualified, the Chairman shall remain in office until a successor is elected at the next annual meeting and the Vice-Chairman shall similarly remain in office until immediately after the election of a Chairman at the next annual meeting.

1.3 In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he/she shall preside at the annual meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but shall give a casting vote in the case of an equality of votes.

1.4 In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he/she shall preside at the annual meeting until a new Chairman of the Council has been elected. He/she may exercise an original vote in respect of the election of the new Chairman of the Council and shall give a casting vote in the case of an equality of votes.

1.5 Unless the Council resolves otherwise, in an election year the Chairman and Councillors will complete their acceptance of office forms at the annual meeting and in a year which is not an election year, the Chairman will complete his/her acceptance of office form and these various forms shall be given to the Clerk for safe keeping and copying to the District Council.

1.6 The annual meeting will discuss and agree appointments made to outside organisations, any groups associated with the council (as may be required by their terms of reference) and for any areas of special responsibility (e.g. planning, footpaths etc). The annual meeting will also consider whether any of the council's policies or procedures, terms of reference to associated groups, the establishment of committees or review of arrangements with other bodies and businesses is required.

1.7 The annual meeting shall decide on a calendar of meetings for the forthcoming year, to include dates, times and venue (as per 2.3).

2 Other Meetings of the Council

2.1 A minimum of three Council meetings shall be held each year in addition to the Annual Meeting.

2.2 Council meetings shall not take place at licensed premises during licensing hours unless no other premises are available free of charge or at reasonable cost.

2.3 Generally, meetings shall be held on the second Wednesday of each alternative month (i.e. six meetings per year) starting at 7.30pm. A meeting shall not extend beyond a period of 2 hours (unless agreed otherwise by all Councillors present) and the meeting shall be adjourned and the remaining business conducted on a separate occasion.

2.4 The Council may appoint a committee or sub-committee to make decisions on specific topics and shall ensure that each shall have terms of reference that make clear the type of decisions that may be made on behalf of the council and the number of members required to form a quorum. Terms of reference may also include provision for the number of meetings to be held each year, the number of members, the election of a chairman etc.

2.5 A committee or sub-committee may include non-councillors if the Council so desires and may be exclusively comprised of non-councillors if required, but any such committee or sub-committee shall not make financial decisions.

2.6 The Council may also assist in forming and supporting interest groups that promote specific interests of local residents and, if so desired, shall agree terms of reference under which such groups shall operate.

2.7 The Chairman of the Council may convene an extraordinary meeting of the Council at any time provided public notice is given of the time, place and agenda for such meeting.

2.8 Any two councillors may write to the Chairman to request an extraordinary meeting of the Council and if this is not arranged within seven days of the request the two councillors may convene the meeting themselves. A public notice shall be issued giving the time, place and agenda for such a meeting and this shall be signed by the two councilors in question.

3 Council Meetings Generally

3.1 A minimum of three clear days shall be given for notice of a meeting and this 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.

3.2 An agenda will be presented to councillors when notice of a meeting is given and this will set out all matters to be discussed. This will include for approval of the minutes of the previous meeting, an update on any matter that was not resolved at the previous meeting and not included elsewhere on the agenda for decision, an opportunity for members of the public to address councillors on any matter not on the agenda and to consider any motions (from councillors) or recommendations (from the Clerk).

3.3 The Clerk will issue an invitation to attend each Council meeting to the County Councillor for the Kingston and Stanford Division and the District Councillor for the Kingston Bagpuize Ward.

3.4 Unless otherwise determined by the Chairman of the meeting, the business to be conducted at a meeting will follow the order of business on the agenda.

3.5 **The Chairman of the Council shall preside at any meeting of the Council and, if absent, the Vice-Chairman shall preside. If both the Chairman and the Vice-Chairman are absent, a councillor as chosen by the councillors present shall preside at the meeting.**

3.6 For as long as the Parish Council is comprised of five councillors, a minimum of three councillors shall be required to be present at a meeting of the Council for a quorum to be formed and decisions taken. In the absence of a quorum, the meeting must either be adjourned or, in the event of there being no quorum for a single item of business, that item adjourned for a future meeting.

3.7 Unless included in 3.10 below, no motion[2] may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Clerk at least 7 clear days[3] before the meeting. The Clerk will maintain a record of any motions received for public inspection.

3.8 The Clerk may correct obvious errors before including a motion on a meeting agenda and may reject a motion that is not sufficiently clear until the mover of the motion has submitted it in a way that is judged to be sufficiently clear. If the wording of a motion is considered improper the Clerk, in consultation with the Chairman, may refuse to include it on an agenda.

3.9 Debates on motions at meetings shall follow the procedure set out in Appendix 1. When disposed of, no similar motion may be moved for a further six months.

3.10 The following motions may be moved at a meeting without written notice to the Clerk:

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 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 other information which is prejudicial to the public interest;

[2] 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.

[3] Clear days do not include the day of the notice or the day of the meeting.

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 or legal requirements);
xvi. to adjourn or close the meeting.

3.11 A resolution shall not be reversed within six months except either by a special motion (which requires written notice by at least 2 councillors to be given to the Clerk in accordance with para 3.7) or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.

3.12 V**oting on a question shall normally be by a show of hands and a decision determined by a majority of those voting. Prior to a vote a councillor may request the voting to be recorded in the minute of the meeting so as to show whether each councillor present and voting gave his vote for or against that question.**

3.13 The chairman of a meeting may 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.

3.14 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 is subject to statutory limitations or restrictions under the code on his right to participate and vote on that particular matter

4 Public Participation at Meetings

4.1 Meetings shall be open to the public (and media) unless their presence is considered prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons[4]. 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.

4.2 Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of any business on the agenda. Representations etc will be addressed to the Chairman and will normally be before any discussion of an item by councillors. Contributions should be kept as brief as possible and not extend beyond 3 minutes. If questions are asked of councillors they do not need to give answers unless so desired and the Chairman may direct that a written or oral response be provided subsequently.

[4] Reason(s) to be governed by the provisions of Schedule 12 (Part 5) of the Local Government Act 1972

4.3 At meetings of the Parish Council opportunity will be provided for members of the public to raise any issue for discussion as part of the meeting agenda. Public participation will be managed by the Chairman as 4.2 above.

4.4 The Clerk shall provide reasonable facilities to the media for their reporting of any proceedings at which they are entitled to be present. Audio or visual recordings (including photographs) or live streaming of the meeting, or any part thereof, shall not be permitted unless approved by the Council.

4.5 If a member of the public attempts to interrupt proceedings at a meeting the Chairman may, after due warning, order that person to remove themselves from the meeting and may adjourn the meeting for such time as is necessary to restore order.

4.6 Proceedings may be filmed, photographed or audio recorded to enable persons not present to be informed of what takes place, but an oral report or commentary shall not be provided during the time the meeting takes place unless permission has first been obtained.

5 Minutes

5.1 Draft minutes of a meeting shall be provided to Councillors and made publicly available on the village website within 30 days of the date of the meeting. When presented to the following meeting for approval they may be taken as read.

5.2 The accuracy of the minutes, and any amendment required to be made as a result of discussion, shall be confirmed by resolution and shall be signed by the Chairman. They shall thereafter stand as an accurate record of that meeting.

5.3 On confirmation of the minutes of a meeting the draft minutes (and any recording of the meeting) shall be destroyed.

6 Councillor Interests

6.1 All Councillors (and any non-Councillor with voting rights) shall observe the Council's adopted Code of Conduct.

6.2 A Councillor (or a non-councillor with voting rights) who has a disclosable pecuniary interest, or any other interest, as set out in the Council's Code of Conduct is subject to statutory limitations or restrictions under the Code in relation to their right to participate and vote on that particular matter.

6.3 Where a disclosable pecuniary interest has been declared the Councillor shall withdraw from the meeting unless a dispensation has been granted to them on application to the Clerk (whose decision is final)[5]

6.4 Any complaint about the actions of a Councillor not acting in accordance with the Council's Code of Conduct must be made to the District Council's Monitoring Officer and if upheld the Parish Council shall consider what action to take[6].

6.5 Any other complaint about a Councillor must be made to the Clerk in the first instance, who will liaise with the District Council Monitoring Officer on the most appropriate way for the complaint to be dealt with.

7 Officers

7.1 The Council shall employ a proper officer (the Clerk) to undertake its administrative affairs, including the maintenance of accurate and up to date records and management of personal information, and in particular to:

- issue a summons to councillors to attend meetings;
- compile, provide and make publicly available an agenda for meetings;
- provide, maintain and make publicly available a proper record (minutes) of all council meetings;
- receive declarations of acceptance of office;
- receive and record notices disclosing councillors' interests;
- sign notices or other documents (except legal deeds) on behalf of the council;
- monitor invitations to comment on the affairs of other bodies (including on planning proposals) and ensure comments are submitted within any set deadlines;
- receive and retain copies of bylaws made by other local authorities;
- submit (and maintain a record of) comments made by the Parish Council on planning applications submitted for land/buildings etc in Charney Bassett.

7.2 The Council shall employ a Responsible Finance Officer (RFO) and unless determined otherwise these duties shall also be performed by the Clerk.

7.3 Officer appointments shall be made by the Council, having regard to any recommendations of the Personnel Sub-Committee. Staffing matters shall be dealt with by the Chairman of the Council, also having regard to any recommendations of the Personnel Sub-Committee.

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[5] Set out 13h of template

[6] Excludes disqualification or suspension from office

7.4 Terms and conditions of employment of appointed personnel, including any payment for services, shall be determined by the Personnel Sub-Committee which shall also undertake an annual review of the Clerk's performance and any salary. All staffing issues considered by the Sub-Committee shall be confidential, subject only to being shared with other Councillors with the Chairman's agreement.

7.5 Any complaint about staff shall be made to the Chairman of the Council, who will refer it to the Personnel Sub-Committee to determine the most appropriate way of dealing with the matter.

8 Consultations (including planning applications)

8.1 Responses to consultations from other bodies shall be determined by meetings of the Council whenever possible.

8.2 If a response to a consultation is required by a particular date and this is before the next scheduled meeting of the Council, the response may be determined by the Clerk[7] in consultation with the Chairman.

8.3 The Clerk will inform Councillors of any matter that may be determined under para 8.2 and will inform the Chairman of any views expressed. The Chairman may elect to convene a special meeting (para 2.7) to determine the Council's response to a consultation if desired.

8.4 The Clerk shall maintain a separate record of any response given on a planning application.

9 Financial Matters

9.1 The RFO will maintain a set of approved Financial Regulations (reviewed annually) to govern the way in which financial transactions are conducted and to include arrangements for the following:

- keeping accounting records and systems of internal controls;
- assessment/management of financial (and any other) risks;
- public availability of the accounts;
- tendering processes and procurement[8];
- ensuring payments are made promptly.

9.2 All payments shall be authorised, approved and paid in accordance with the law, proper practices and the Council's Financial Regulations.

[7] On planning applications the Lead Councillor for Planning shall act in lieu of the Clerk

[8] To include for any circumstances where contracts less than £25,000 should be exempt from such procedures and for the advertising on the Contracts Finder website of any contract above £25,000

9.3 The RFO shall provide a report for each meeting of the Council that confirms the receipts and payments made since the last meeting, the balance in the bank account and aggregate receipts and payments for the financial year to date.

9.4 As soon as possible after the end of the financial year the RFO shall submit to the Council for approval a statement of the receipts and payments for that year together with accounting statements in the form of section 2 of the annual governance and accountability return.

9.5 A draft annual governance and accountability return shall be made available to Councillors at least 3 working days before the meeting at which it is considered and details provided to the external auditor (and advertised) as required.

9.6 In order for the Council to set an appropriate precept, the RFO shall submit for approval in January a draft budget for the forthcoming financial year and which shall provide estimates of anticipated income and expenditure.

9.7 The Council may agree arrangements for the RFO's duties to be undertaken by other specified persons.

9.8 Where the value of a contract is likely to exceed the threshold specified by the Government from time to time, the Council must consider whether the contract is subject to the requirements of the current procurement legislation and, if so, the Council must comply with procurement rules. NALC's procurement guidance contains further details.

10 Legal Deeds

9.1 A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.

9.2 A legal deed shall always be signed for the Council by the Chairman and, where a second signature is required, by the Vice Chairman.

11 Availability of Information

11.1 The Council will publish information in accordance with the Smaller Authority (Transparency Requirements) (England) Regulations 2015.

11.2 Information in relation to the Council's activities shall be made available in accordance with a Publication Scheme. The scheme shall include for technical and organisational measures to keep secure information (e.g. personal data); confirmation of who has access to personal data; provision for retention and safe destruction of information (including personal data); the period for which all information is retained or the criteria used to determine the length of that period (e.g. the Limitation Act 1980); a requirement that meeting agenda/minutes shall not disclose or undermine confidential information; a requirement that Councillors/Employees/Contractors/ Agents do not disclose confidential information without legal justification.

11.3 Requests for information about the Council that is not already freely available shall be addressed to the Clerk who initially will advise on a timescale for a response. The information requested shall always be made available unless considered unreasonably burdensome or of a confidential nature – in which case the reason(s) for non-disclosure shall be explained.

11.4 Personal information provided to the Council shall be managed in accordance with a Data Protection Policy and set out in a Privacy Notice(s).

11.5 The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his/her/their personal data.

11.6 The Council shall have a written policy in place for responding to and managing a personal data breach.

11.7 The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.

11.8 The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.

11.9 The Council shall maintain a written record of its processing activities.

12 Complaints

12.1 A complaint about the actions of a Parish Councillor shall be referred to the District Council for consideration.

12.2 Upon notification by the Principal 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 them. Such action excludes disqualification or suspension from office.

12.3 A complaint about the actions of the Clerk shall be addressed to the Chairman and dealt with in accordance with Standing Order 7.5.

12.4 A complaint about an action taken by the Council shall in the first instance be addressed to the Clerk and considered by the Council and, in the event of the complainant being dissatisfied with the outcome the matter referred further to the Local Government Ombudsman.

13 Standing Orders Generally

13.1 Any or every part of these Standing Orders, except those based on a specific legislative requirement and printed in bold type, may be suspended by resolution in relation to any specific item of business being transacted.

13.2 Where there is any inconsistency between these standing orders and national legislation, the latter shall take precedence.

13.3 Decisions on the application of standing orders at a meeting shall be made by the Chairman and shall be final.

13.4 The Chairman, and in his absence the Vice-Chairman, shall make decisions on behalf of the Council on the allocation of allotment plots paying due regard to recommendations made by the Charney and Lyford Allotment Partnership and may, if he/she so choses, refer a decision on the allocation of any particular plot to a meeting of the Council.

13.5 At any time during a recognised national emergency the Chair shall have authority, in consultation with the Clerk, to make any decision(s) that would otherwise require to be taken at a meeting of the Parish Council, where a meeting of the Parish Council could not be held, including for the following reasons:

- the Government has directed that people should not meet in numbers or circumstances typical of a normal Parish Council meeting;
- there are no provisions for the holding of virtual meetings (e.g. on Zoom, Skype etc);
- the majority of Parish Councillors are of the view that a meeting cannot be held safely or conveniently;

and provided that:

- a record of any decision made is kept by the Clerk;
- the decision is communicated to Councillors at the earliest opportunity (e.g. by email);
- all decisions made in this way are reported to the next available meeting of the Parish Council and entered as a minute of that meeting.

Substantive document approved (Parish Council meeting of 13th May 2020 - minute 20/44)

Subsequent amendments made as follows:

Parish Council meeting of 21st July 2021 - minute 21/57

Parish Council meeting of 6th July 2022 – minute 22/55

Parish Council meeting of 8th November 2023 – minute 23/82

Parish Council meeting of 13th March 2024 – minute 24/27

Parish Council of 11th September 2024 – minute 24/78

Parish Council of 10th September 2025 – minute 25/77

APPENDIX 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 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 (as amended) 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 chairman of the meeting, is expressed in writing to the chairman.

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 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 (k) below, 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 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 on the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.

o 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 he last spoke;
iii. to make a point of order;
iv. to give a personal explanation; or
v. to exercise a right of reply.

p 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 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 chairman 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 or sub-committee 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 or legal requirements.

s 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 his right of reply.

t Excluding motions moved under (r), the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 3 minutes without the consent of the chairman of the meeting.