

## Woolley Parish Council

### Standing Orders

#### 1. Meetings

1. a) Meetings of the Council shall be held at Woolley Village Hall, The Green, Woolley at seven thirty in the evening unless the Council otherwise decides at a previous meeting. No meeting shall continue beyond 9.30pm in the evening except at the discretion of the Chairman, who may in appropriate circumstances extend the meeting by up to fifteen minutes.

b) Smoking is not permitted at any meeting of the Council

2. **The statutory Annual Meeting of the Council in an election year shall be held within fourteen days following the fourth day after the ordinary day of elections to the Council and in a year, which is not, an election year on such day in May as the Council decides.**

3. The three other statutory meetings and all additional ordinary meetings of the Council shall be held on such days as the Council decides.

#### Chairman of the Meeting

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, he 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 byelaws made by the City of Wakefield Metropolitan District Council.
- f) To certify copies of byelaws made by the Council
- g) To sign summonses to attend the Annual Meeting and ordinary meetings of the Council.

#### Quorum

6. **Four of the Members shall constitute a quorum.**

7. If a quorum is not present within fifteen minutes after the commencement time of a Council meeting, or if during a meeting the number of Councillors present and not debarred by reason of a declared pecuniary 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 Council or Chairman may fix.

## **Woolley Parish Council**

### **Standing Orders**

#### **Voting**

8. Members shall vote by show of hands or, if at least two Members so request, by secret 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.
10. The Chairman 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 or she gave no original vote, subject to:-

- 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 Chairman and Vice-Chairman until the end of their term of office he or she may not give an original vote in the election of Chairman.
- b) The person presiding must give a casting vote whenever there is an equality of votes in the election for Chairman.

#### **Order of Business**

#### **11. At each Annual Meeting the first business shall be**

- a) To elect the 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) In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.
- d) To decide when any declarations of acceptance of office which have not been received as provided by law shall be received.
- e) To appoint the Deputy Chairman.
- f) To appoint school governors.
- g) To appoint Committees and their Chairman and Vice Chairman.
- h) To consider the payment of any subscriptions falling to be paid annually.

and shall thereafter follow the order set out in Standing Order 13.

#### **12. At every meeting other than the Annual Meeting the first business shall be to appoint a Chairman if the Chairman and Deputy Chairman be absent and to receive such declarations 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.**

## Woolley Parish Council

### Standing Orders

#### Order of Business - continued

13. 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) To read and consider the Minutes provided that if a copy has been circulated to each Member not later than the day of issue of the summons to attend the meeting, the Minutes may be taken as read.
- b) After consideration to approve the signature of the Minutes by the person presiding as a correct record.**
- c) To deal with business expressly required by statute to be done.**
- d) To dispose of business, if any, remaining from the last meeting.
- e) To receive such communications as the person presiding may wish to lay before the Council.
- f) To answer questions from Councillors.
- g) To receive and consider reports and minutes of Committees.
- h) To receive and consider reports from officers of the Council.
- i) To authorise the execution or signing of documents.
- j) To authorise the signing of orders or payments.
- k) To consider resolutions or recommendations in the order in which they have been notified.
- l) Any other business specified in the summons.

#### Order of Business - continued

14. A motion to vary the order of business on the grounds 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, and
- b) shall be put to the vote without discussion.

#### Resolutions Moved on Notice

15. Except as provided by these Standing Orders, no resolution may be moved unless the business to which it relates has been put on the Agenda by the Clerk or the mover has given notice in writing of its terms and has delivered the notice to the Clerk at least ten clear days before the next meeting of the Council.

16. The Clerk shall date every notice of resolution or recommendation when received, shall number each notice in the order in which it was received and shall enter it in a book, which shall be open to the inspection of every Member of the Council.

## **Woolley Parish Council**

### **Standing Orders**

#### **Resolutions Moved on Notice- continued**

17. 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 or she intends to move at some later meeting or that he or she withdraws it.

18. If a resolution or recommendation specified in the summons is not moved either by the Member who gave notice of it or by any other Member, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.

19. If the subject matter of a resolution comes within the province of a Committee of the Council, it shall, upon being moved and seconded stand referred without discussion to such Committee or to such other Committee as the Council may determine for report, provided that the Chairman, if he or she considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.

20. Every resolution or recommendation shall be relevant to some subject over which the Council has power or which affects its area.

#### **Resolutions Moved Without Notice**

21. 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 Committee.
- h) To appoint a Committee or any Members thereof.
- i) To adopt a report.
- j) To authorise the execution or signing of documents.
- k) To amend a motion.
- l) To give leave to withdraw a resolution or an amendment.
- m) To extend the time limit of speeches.
- n) To exclude the public (including the press).
- o) To silence or eject from the meeting a Member named for misconduct.
- p) To invite a Member having an interest in the subject matter under debate to remain.
- q) To give consent of the Council where such consent is required by these Standing Orders.
- r) To suspend any Standing Order.
- s) To adjourn the meeting.

## **Woolley Parish Council**

### **Standing Orders**

#### **Questions**

22. A Member may ask the Chairman or the Clerk any question concerning the business of the Council provided notice of the question has been given to the person to whom it is addressed before the meeting begins.

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

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

25. A person to whom a question has been put may decline to answer but in that event such person shall give a written reply to the questioner at or before the next meeting.

#### **Rules of Debate**

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

#### **Rules of Debate - continued**

27. Other rules of debate are:-

- a) 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 Chairman, be reduced to writing and handed to him or her before it is further discussed or put to the meeting.
- b) A Member when seconding a resolution or amendment may, if he or she then declares his or her intention to do so, reserve his or her speech until a later period of the debate.
- c) A Member shall direct his or her speech to the question under discussion or to a personal explanation or a question of order.
- d) No speech by a mover of a resolution shall exceed five minutes, and no other speech shall exceed three minutes except by consent of the Council.
- e) 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.
- f) An amendment shall not have the effect of negating the resolution before the Council.
- g) 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

## **Woolley Parish Council**

### **Standing Orders**

#### **Rules of Debate - continued**

27. Other rules of debate are - continued: -

- h) A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
- i) The mover of a resolution or an amendment shall have a right of reply, not exceeding two minutes.
- j) A Member, other than the mover of a resolution, shall not without leave of the Council, speak more than once on any resolution except to move an amendment, or further amendment, or on an amendment, or on a point of order, or in personal explanation, or to move closure.
- k) A Member may rise to make a point of order or a personal explanation. A Member rising for these purposes shall be heard forthwith. A personal explanation shall be confined to some material part of a former speech by him or her which may have been misunderstood.
- l) A motion or amendment may be withdrawn by the proposer with the consent of the Council, 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.

#### **Rules of Debate - continued**

27. Other rules of debate are - continued: -

- m) Where 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 do leave the meeting.
  - VII. That the resolution be referred to a Committee.
  - VIII. To exclude the public (including the press).
  - IX. To adjourn the meeting
- 28. A Member shall stand when speaking if requested to do so by the Chairman.
- 29. The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed, and
  - a) Members shall address the Chairman.
  - b) If two or more Members rise, the Chairman shall call upon one of them to speak and the others shall resume their seats.
  - c) Whenever the Chairman rises during a debate all other Members shall be seated and silent.

## **Woolley Parish Council**

### **Standing Orders**

#### **Closure**

30. 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 Chairman shall put the motion but, in the case of a motion "to put the question", only if he or she 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 the Chairman shall call upon the mover to exercise or waive his or her right of reply and shall put the question immediately after the right has been exercised or waived. The adjournment of a debate or of the Council shall not prejudice the mover's right of reply at the resumption.

#### **Disorderly Conduct**

31. Standing Orders relating to Disorderly Conduct are as follows:-

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

#### **Disorderly Conduct continued**

31. Standing Orders relating to Disorderly Conduct are as follows- continued:-

- b) If, in the opinion of the Chairman, a Member has broken the provisions of paragraph (a) of this Order, 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 (b) of this Order is disobeyed, the Chairman may suspend the meeting or take such further steps as may reasonably be necessary to enforce them.

#### **Right of Reply**

32. The mover of a resolution shall have a right of 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.

## **Woolley Parish Council**

### **Standing Orders**

#### **Alteration of Resolution**

33. A Member may, with the consent of the seconder, move amendments to his or her own resolution.

#### **Rescission of Previous Resolutions**

34. Standing Orders relating to Rescission of Previous Resolutions are as follows: -

- a) 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 a least 50% + 1 Members of the Council, or by resolution moved in pursuance of the report or recommendation of a Committee.
- b) When a special resolution or any other resolution moved under the provision of paragraph (a) of this Order has been disposed of, no similar resolution may be moved within a further six months.

#### **Voting on Appointments**

35. 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 vote is given in favour of one person.

#### **Discussions and Resolutions Affecting Employees of the Council**

36. 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 that the public (including the press) shall be excluded from the meeting for that item.

#### **Resolutions on Expenditure**

37. Any resolution which is moved otherwise than in pursuance of a recommendation of the Finance Committee or of another Committee after recommendation by the Finance Committee and which, if carried, would, in the opinion of the Chairman, as advised by the Proper Officer, 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 and be referred to the next meeting of the Finance Committee in order that a report on the financial aspects of the matter can be submitted to the Council at its next ordinary meeting.



## Woolley Parish Council

### Standing Orders

#### Expenditure

38. Standing Orders relating to the payment of money are as follows:-
- a) Three Members of the Council shall sign cheques issued on the Council's Business Current Account. **Where three members of the Council are not available the Clerk shall be the third signatory.**
  - b) It shall be the duty of the Proper Officer to seek the confirmation of the Finance Committee on all cheques so issued, in accordance with (a) of this Order.

#### Documents

39. Standing Orders relating to Documents are as follows:-
- a) A document shall not be executed as a deed or signed on behalf of the Council unless its execution or signing has been authorised by a resolution of the Council.
  - b) Any two Members of the Council may execute as a deed any document required by law to be issued under seal.
  - c) Any other document not required to be issued under seal may be signed on behalf of the Council by the Clerk (or Deputy Clerk).

#### Committees and Sub-Committees

40. The Council may at its 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 co-opt persons other than Members of the Council to any Committee except the Finance Committee.
  - c) may subject to the provision of Order 34 above at any time dissolve or alter the membership of a Committee.
41. The Chairman and Deputy Chairman ex officio shall be Members of every Committee.
42. Ordinary meetings of Committees shall be held in accordance with a programme of meetings set by the Council from time to time.
43. The Chairman of a Committee or the Chairman may summons an additional meeting of that Committee at any time. An additional meeting shall also be summoned on the requisition in writing of not less than a quarter of the Members of the Committee (rounded upwards to the nearest whole number). The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.

## Woolley Parish Council

### Standing Orders

#### **Committees and Sub-Committees – continued**

44. Every Committee may appoint Sub-Committees for the purpose to be specified by the Committee.

45. The Chairman and Vice Chairman of the Committee shall be Members of every Sub-Committee appointed by it unless they signify that they do not wish to serve.

46. Except where ordered by the Council in the case of a Committee, or by the Council or by the appropriate Committee in the case of a Sub-Committee, the quorum of a Committee shall be 50% of its Members.

47. The Standing Orders on time of meetings, rules of debate and Standing Orders on interests of Members in contracts and other matters shall apply to Committee and Sub Committee meetings.

#### **Advisory Committees**

48. Standing Orders relating to Advisory Committees are as follows:-

a) There may be Advisory Committees, whose name, and number of Members and the bodies to be invited to nominate Members shall be decided by the Council.

#### **Advisory and Liegiate Committees -continued**

48. Standing Orders relating to Advisory Committees - continued

b) The Clerk shall inform the Members of each Advisory Committee of the terms of reference of the Committee as determined by the Council.

c) An Advisory Committee may only make recommendations and give notice thereof to the Council or the appropriate standing Committee.

d) An Advisory and/or Liegiate Committee may consist wholly of persons who are not Members of the Council.

#### **Voting in Committees**

49. Members of Committees and Sub-Committees entitled to vote shall vote by show of hands.

50. **Chairman of Committees and Sub-Committees shall in the case of an equality of votes have a second or casting vote.**

#### **Presence of Non-Members of Committees at Committee Meetings**

51. A Member who has proposed a resolution which has been referred to any Committee of which he or she is not a Member, may explain his or her resolution to the Committee but shall not vote thereon.

## Woolley Parish Council

### Standing Orders

#### Financial Statements

52. The Clerk shall supply, when available, to each Member of the Council a copy of the Final Accounts for the last financial year as prepared in accordance with the requirements of the Accounts and Audit Regulations in force.

#### Estimates and Precept

53. The Council shall approve the estimated net expenditure requirements for the coming financial year not later than the end of February in each year for the purpose of fixing the Parish Precept and levying such on the City of Wakefield Metropolitan District Council.

#### Interests

54. If any Member has a pecuniary interest, direct or indirect, within the meaning of sections 94-95 of the Local Government Act 1972, in any contract, proposed contract or other matter, he or she shall, while it is under consideration by the Council, withdraw from the meeting unless the interest is trivial in the manner described in section 97(5) or:-

- a) the disability imposed by those sections has been removed by the City of Wakefield Metropolitan District Council, or

### Standing Orders

#### Interests - continue

- b) The Council invite him or her to remain, or
- c) 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.

**55. The Clerk shall record in the Council's Register of Disclosures and General Notices, Parts 1 & 2 particulars of any notice given by any Member or any officer of the Council of a pecuniary interest in a contract, and the Register shall be open during reasonable hours of the day for the inspection of any Member.**

56. If any Member has a non-pecuniary interest within the ambit of the National Code of Local Government Conduct he or she shall declare it and thereupon be invited to withdraw from the meeting.

57. If a candidate for any appointment under the Council is to his or her knowledge related to any Member of or holder of any office under the Council, he or she and the person to whom he or she is related shall disclose the relationship in writing to the Clerk. A candidate who fails so to do 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 Standing Order 56 shall apply. The Clerk shall make known the purport of this Standing Order to every candidate.

## **Woolley Parish Council**

### **Standing Orders**

#### **Canvassing of and Recommendations by Members**

58. Standing Orders relating to Canvassing of and Recommendations by Members are as follows:-

- a) Canvassing of members of the Council or of any Committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make known the purport of this sub-paragraph of this Standing Order to every candidate.
- b) A Member of the Council or of any Committee shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion, but, nevertheless, any such Member may give a written testimonial of a candidate's ability, experience, or character for submission to the Council with an application for appointment.

59. Standing Orders 57 and 58 shall apply to tenders as if the person making the tender were a candidate for an appointment.

#### **Inspection of Documents**

60. A Member may for the purpose of his or her duty as such (but not otherwise) inspect any document in possession of the Council or a Committee by prior appointment with the Clerk.

#### **Inspection of Documents - continued**

61. All Minutes kept by the Council and by any Committee shall be open for the inspection of any Member of the Council.

#### **Unauthorised Activities**

62. No Member of the Council or of any Committee or Sub-Committee shall in the name of or on behalf of the Council

- a) inspect any lands or premises which the Council has a right or duty to inspect, or
- b) issue orders, instructions or directions

unless authorised to do so by the Council or the relevant Committee or Sub-Committee.

#### **Admission of the Public and Press to Meetings**

63. The public (including the press) shall be admitted to all meetings of the Council and its Committees and Sub-Committees which may, however, temporarily exclude the public (including the press) by means of the following resolution:

"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 (including the press) be temporarily excluded and they are instructed to withdraw"

## Woolley Parish Council

### Standing Orders

#### Admission of the Public and Press to Meetings - continued

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

65. If a Member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that he or she be removed from the meeting room.

#### Confidential Business

66. Standing Orders relating to confidential business are as follows:-

- a) No Member of the Council or any Committee or Sub-Committee shall disclose to any person not a Member of the Council any business declared to be confidential by the Council, the Committee or the Sub-Committee as the case may be.
- b) Any Member in breach of the provisions of paragraph (a) of this Standing Order may be removed from any Committee or Sub Committee by the Council.

#### Standing Orders on Contracts

67. Standing Orders relating to Contracts are as follows:-

- a) Where it is intended to enter into a contract exceeding £1000 in value for the supply of goods, services or materials or for the execution of works the Clerk shall give public notice of such intention in the same manner as public notice of meetings of the Council is given and shall also give notice to all firms included in the appropriate standing approved list of contractors having regard to the Town Council's "Buy Local" and "Best Value" policies.
- b) Where no such list, as referred to in sub-paragraph (a) above, is maintained then the Clerk shall give notice of the intention to enter into a contract exceeding £1000 by public advertisement in such newspapers circulating in the district as the Council shall direct.
- c) Notice of a contract exceeding £1000 shall state the general nature of the intended contract and state the name and address of the person to whom tenders are to be addressed and the last date by which those tenders should reach that person in the ordinary course of the post.
- d) All invitations to tender must be forwarded under the 'recorded delivery' procedures operated by the Post Office or such other similar delivery service.

## Woolley Parish Council

### Standing Orders

#### Standing Orders on Contracts - continued

67. Standing Orders relating to Contracts are as follows - continued:-

- e) Tenders shall be opened by the Clerk in the presence of at least two Members of the Council on, or as soon as practicable after the date specified pursuant to paragraph (c) of this Order and shall be reported by the Clerk to the Council, or where the tenders have been sought by a Committee to that Committee.
- f) Neither the Council nor any Committee is bound to accept the lowest tender.
- g) If no tenders are received or if all the tenders are identical the Council may make such arrangements for procuring the goods, services, materials or executing the works as it thinks fit.
- h) A notice issued under this Standing Order shall contain a statement of the effect of Standing Orders 57, 58 and 59.

#### Code of Conduct on Complaints

68. The Council shall deal with complaints of maladministration allegedly committed by the Council, a Committee or Sub-Committee or by any Officer or Member in the manner recommended in Circular 2/86 issued by the National Association of Local Councils.

#### Variation, Revocation and Suspension of Standing Orders

69. Any or every part of the Standing Orders except those printed in **bold** type may be suspended by resolution in relation to any specific item of business.

70. A resolution permanently to add, 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

71. A copy of these Standing Orders shall be given to each Member of the Council.

#### Adoption of Standing Orders

The aforementioned Standing Orders were approved and adopted at the Annual Meeting of the Council held on

..... 12-5-16 .....

Signed.....  
Chairman

Woolley Parish Council

Standing Orders

Signed..... Clerk
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