

# **BACTON & EDINGTHORPE PARISH COUNCIL**

## **STANDING ORDERS**

### **1. MEETING DATES**

**1.1 Meetings shall be held normally on the second Monday bi-monthly and Meetings shall commence at 7.00pm unless prior notice given of change.**

1.2 The Annual Meeting of the Parish Council in an election year, (the first meeting) will be held within fourteen days after the date of election and other years will be held on the second Monday in May.

1.3 The date of the Annual Parish Meeting will be agreed by the Council and will be held between March 1<sup>st</sup> and June 1<sup>st</sup> each year.

1.4 Councillors have a duty to attend Parish Council meetings and must provide the Clerk with an apology and explanation if intending to be absent. Failure to attend any meetings for more than six months leads to automatic disqualification.

1.5 All summons to meetings, minutes, notices and other communications will be served to members of the council by email. This will be deemed as sufficiently served on each council member unless he/she requests specifically to receive documents by hand or post (or does not have an email address).

### **2. CHAIRMAN**

2.1 The Chairman shall preside over the meeting and may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.

2.2 In the absence of the Chairman, the Vice-Chairman shall preside and may exercise all the powers and duties of the Chairman.

2.3 If both the Chairman and the Vice-Chairman are absent, the meeting shall appoint a Chairman from those members present, and this person may exercise all the powers and duties of the Chairman.

2.4 Four members of the Council constitute a quorum.

2.5 The authority of the Chairman is limited to matters of procedure at meetings.

2.6 The position of Chairman confers no rights on matters of policy which are not possessed by other members.

2.7 If a member makes an offensive personal observation in breach of the council's code of conduct (see below) the Chairman shall intervene to seek an immediate apology to the offended member.

### **3 THE CLERK**

- 3.1 The Clerk shall prepare the minutes of the Council meetings and circulate them to members within two weeks, when practicable.

On receipt of amendments from Councillors, the final draft is to be produced prior to the next meeting – maximum allowance 3 weeks.

- 3.2 In the event of the absence of the Clerk, the meeting shall appoint another for the purpose of recording that meeting.

- 3.3 The Clerk shall be appointed as the Responsible Financial Officer for the Council.

- 3.4 The Clerk shall supply a copy of any document held by the Council, to a Councillor for the purposes of his duty, including any documents relevant to the discussions during a Parish Council Meeting.

- 3.5 The Clerk shall not disclose to any person not a member of the Council any business declared to be confidential.

- 3.6 The Clerk shall not knowingly send any letter on behalf of the Council which may have adverse financial or legal implications to the Council, without the content having first been approved by the Council. The Clerk is to issue correspondence as a result of instructions given by the Council.

- 3.7 Members of the Council shall treat the Clerk with consideration and respect, in particular, the Clerk shall not be contacted or telephoned constantly at weekends, early in the morning or late at night. Members of the council should not send the clerk persistent, frequent or demanding emails. If the clerk feels that there has been a breach of this standing order it will be the responsibility of the Chairman and/or Vice Chairman to take all necessary steps to assist the clerk and resolve the issues.

- 3.8 The Clerk shall receive declarations of acceptance of office, record notice of disclosure of personal or prejudicial interests receive and retain plans and documents, sign notices or other documents on behalf of the Council and sign summons to attend meetings of the Council.

- 3.9 If at a meeting there arise any questions' relating to the appointment, conduct, dismissal, salary or conditions of service of the Clerk it shall not be considered until the Council has decided whether or not the public shall be excluded.

## **4 MEETINGS PROCEDURE**

- 4.1 The meeting shall follow the agenda as set, unless interrupted because of the arrival of a speaker/visitor or on the grounds of urgency due to a Councillor having to leave the meeting for a specific reason.
- 4.2 The Chairman may open the meeting to the public to allow a member(s) of the public to make a comment. Opening of a meeting may only take place following a motion to do so and with the approval of the Council.
- 4.3 The Chairman will have the discretion, before commencing the meeting, to invite any members of the public present to raise any matters of concern in open discussion, with a time limit of up to 15 minutes.
- 4.4 Each meeting shall not last more than two hours, with an option to the Council to continue for a further half an hour if necessary.
- 4.5 At all meetings of the Council the Chairman may at their discretion and at a convenient time in the transaction of business, adjourn the meeting so as to allow any members of the public and those councillors with a prejudicial interest in items on the agenda to address the meeting in relation to the business to be transacted at that meeting. Members with a prejudicial interest must withdraw from a meeting after speaking and are not able to participate in the vote.
- 4.6 All meetings may be recorded.

## **5 MINUTES**

- 5.1 The minutes of the previous meeting will have been read by all Councillors and they shall be proposed by a member of the Council as a true and accurate record of that meeting and signed by the presiding Chairman.

On receipt of amendments from Councillors, the final draft is to be produced prior to the next meeting.

- 5.2 No discussion other than that of accuracy shall take place on those minutes.
- 5.3 A resolution or amendment of the minutes must be proposed and seconded and must not have the effect of negating the motion. An amendment shall either leave out words and/or insert them.

## **6 DISCLOSURE OF INTEREST**

- 6.1 Bacton & Edingthorpe Parish Council has adopted the Code of Conduct section 27 of the Localism Act 2011. This is to promote and maintain high standards of behaviour by its members and co-opted members whenever they conduct the business of the Council including the business of the office to which they were elected or appointed or when they claim to act or give the impression of acting as a representative of the Council.

This Code of Conduct is based on the principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership. Full information is detailed in the Council's Code of Conduct document. appendix A & B refers.

Appendix A - the member shall not participate in a discussion or vote on the matter unless the public are able to do so. A declaration only has to be made if it is not already entered in the member's register of interest or the Monitoring Officer is not aware of it.

Appendix B - the member can contribute on the matter only if the public can speak. The member cannot vote on it.

The Proper Officer (Clerk) may grant a member a dispensation and vote ONLY if the Council believes that the number of members otherwise prohibited from taking part in the meeting would impede the transaction of the business.

- 6.2 The Clerk shall record in the minute book particulars of any declaration of interest given by a member.
- 6.3 In compliance with the Parish Councils (Model Code of Conduct) section 27 of the Localism Act 2011 - each Councillor must complete and submit to the District Council's Monitoring Officer notification of Financial Interests and Other Interests. Councillors are individually responsible for ensuring these forms of notification are kept up to date. Failure to do so within 28 days will lead to Members ceasing to be Councillors.

## **7 COMMITTEES**

- 7.1 The Council may at any time appoint a committee when it is felt necessary and either the Chairman or Vice Chairman should be a member of that Committee. The Chairman of a Committee shall in the case of an equality of votes have a second or, a casting vote.
- 7.2 No member of the Council, or of any committee or sub committee shall disclose to any person not a member of the Council any business declared to be confidential.

## **8 VOTING**

- 8.1 Motions shall be put to the vote following a proposal by a member. Members shall vote by a show of hands, or, if at least two members so request by a signed ballot.
- 8.2 The Chairman may vote on all matters put to the vote but in the case of an equality of votes may give a casting vote even if he/she gave no original vote.
- 8.3 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. Such a request must be made before moving on to next business.
- 8.4 No decision (reached by a vote) can be voted on again for at least a period of six months.

## **9 PLANNING APPLICATIONS**

**The Clerk will receive email notification of planning via email from NNDC.**

The Clerk will then forward this information onto all Councillors via email. It will be the Councillors responsibility to look online at the application as no paper plans will be supplied by NNDC as of 1<sup>st</sup> April 2017. The only exception to this will be for large applications.

As Bacton Parish Council meets **6 times** a year it is not viable to keep calling meetings in order to meet the deadlines set by NNDC.

Therefore there needs to be a way to determine planning online and to allow for Councillors holidays and other absences.

The Councillor(s) residing nearest to the site of the application may contact the nearest resident or residents to discover their reaction and report comments as appropriate to the Council.

Councillors should notify the Clerk of any comments/concerns or views with a copy to the Chair.

A minimum of 3 Councillors will need to respond giving their views with the majority decision being the one given to NNDC's Planning Department. Nil responses will be taken as "no objection or comment".

Delegated responsibility for this reporting decision is given to the Clerk who will make a summary of the Council's views and report back to the Council at the next available meeting or via email as appropriate.

If the Planning falls within the timescale of the next available meeting then, it will be considered by the Council then. This mechanism cannot be used to circumvent the right of the Council to determine their response in an open meeting and the decision taken at the Council meeting will be the over-riding decision where possible to do so.

If the Planning application is contentious then the decision is with the Chair to call an extra-ordinary meeting or two Councillors to call a meeting as appropriate.

The Clerk will advise the Council of the response at the next Council meeting or via email.

## **10 RESOLUTIONS ON EXPENDITURE**

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

10.2 Any resolution on expenditure should comply with the Financial Procedures of the Council. A copy of these Financial Procedures shall be held by each member of the Council.

**10.3 Payments between meetings may be paid and in alignment with Financial Standing Order 6.4. These payments will be notified as soon as possible and on the next available Agenda.**

**11 ADMISSION OF PUBLIC AND PRESS TO MEETINGS**

- 11.1 The public and press shall be admitted to all meetings of the Council and its committees which may, however, temporarily exclude the public by means of the following resolution: “That in view of the special/confidential nature of the business about to be transacted it is advisable in the public interest that the public be temporarily excluded” and they shall be instructed to withdraw. (The special reasons should be stated). If a person’s advice or assistance is needed they may be invited (by name) to remain after the resolution is passed.
- 11.2 Any member may move a resolution to remove from the meeting room any person(s) constantly interrupting proceedings or behaving in an unruly or obstructive manner.
- 11.3 A member of the Council may decline to answer any question addressed to him/her other than set by the Chairman.
- 11.4 Questions and statements from the public can only be made following a resolution, which is passed, that the meeting should be adjourned. The Council will normally set aside time for this at the end of each ordinary meeting. (See Standing Order 4.2)

**12 OTHER BUSINESS**

- 12.1 At the end of each meeting the Chairman will ask for any matters that the Council wish to bring on the agenda for the next meeting. No decision can be made on items brought to the Council’s attention at this time.
- 12.2 Highway and other administrative matters brought to the Clerk’s attention at this time may be actioned by the Clerk.

**13 REPRESENTATION ON OTHER BODIES**

- 13.1 Bacton Parish Council will be represented on the following bodies:  
Bacton Village Hall Committee

The appointment of a member, or members as to represent the Parish Council on Committees will be confirmed at the Annual Meeting of the Parish Council.

- 13.3 No Councillor shall act or appear to be acting on behalf of the Parish Council on any issue without the consent of a majority of the Parish Council.
- 13.4 All letters on behalf of the Council shall be written only by the Clerk. Any other or similar communications on behalf of the Parish Council shall only be written with the consent of a majority of the Parish Council.

13.5 Reports from members on the business of the Committees in 13.1 may be made verbally or in writing. All reports from other bodies and via Councillors must be made in writing and submitted to the Clerk; alternatively they may be made at the end of an ordinary meeting in writing and must be substantiated. (see Standing Order 11.4)

13.6 The Parish Council will appoint a working group to deal with issues associated with Health and Safety. The working group will comprise of 2 Councillors and the Clerk.

In an emergency situation any 2 of the working group may make a decision to take action on behalf of the full Council. The working party will liaise fully with the Clerk on all Health and Safety matters.

The working party will deal with Health and Safety issues raised by the public immediately and will take timely action in the event of any reports or incidents.

The working party will report its actions to the full council at the earliest opportunity.

## **14. CODE OF CONDUCT**

**14.1** All Councillors must have respect and be courteous to one another. Language which is offensive or inappropriate must be addressed by the Chairman.

If any Councillor has broken the provisions of the above, then any member may move that the member named be no longer heard; or the named member leave the meeting and the motion if seconded shall be put forthwith and without discussion.

Any Councillor who is dissatisfied with a Chairman's ruling, may invite the Council to impose its own decision in relation to that ruling.

14.2 IF there is a conduct issue between Councillors or an internal complaint about another member of the Council it will be assessed by the Chair and Proper Officer with a view to referring it onto the full Council as necessary.

14.3 IF there is a conduct issue between another member and the Chair, this will be dealt with by the Vice Chair and Proper Officer or other delegated member of the Council as deemed necessary.

14.4 If the Councillor is unsatisfied with the response in 14.2 or 14.3 then there is the option to inform the Monitoring Officer at NNDC.

**15. CO-OPTION**

When a casual vacancy is advertised the applicants will be asked to write in outlining their credentials. This information will be circulated to members as soon as possible and they will be invited to attend Parish Council Meeting. A decision as to who to appoint as a Councillor will be made in the public domain at the most appropriate Parish Council Meeting.

**BACTON & EDINGTHORPE PARISH COUNCIL STANDING ORDERS  
AGREED AND ADOPTED July 2024**