

BURLAND PARISH COUNCIL STANDING ORDERS 2021/22

In **bold** – SOs required by statute

1. MEETINGS

- Meetings of the Council shall be held on such dates and times and venues as required by law, and as the Council may direct.
- Smoking is not permitted at any meeting of the Council.

2. THE ANNUAL PARISH COUNCIL MEETING

- **In an election year the Annual Parish Council Meeting shall be held on or within 14 days following the day on which the councillors elected take office; or**
- **In a year which is not an election year the Annual Parish Meeting shall be held on such day in May as the Council may direct.**

3. OTHER MEETINGS

In addition to the Annual Meeting at least three other statutory meetings shall be held in each year on such dates and times and at such places as the Council may direct. The Parish Council usually holds its meetings every month, on the second Monday of the month, except for August.

4. CHAIRMAN OF THE MEETING

The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.

5. PROPER OFFICER

Where a statute, regulation or order confers functions or duties on the proper officer of the Council he or she shall be the Clerk.

6. QUORUM

Three members or one-third of the total membership, whichever is the greater, shall constitute a quorum at meetings of the Council.

If a quorum is not present or a meeting becomes inquorate the meeting shall be adjourned and business not transacted shall be transacted at the next meeting.

8. VOTING

Voting shall be by show of hands or, if at least two members so request, by ballot.

If a member so requires the Clerk shall record the names of 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 the next business.

9. CASTING VOTE

Subject to the clauses below the Chairman may give an original vote on any matter put to the vote, and in any case of an equality of votes may give a casting vote whether or not he gave an original vote.

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 may not give an original vote in an election for Chairman.

The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.

10. ORDER OF BUSINESS – ANNUAL COUNCIL MEETING

At each Annual Parish Council Meeting the first business shall be:

- **To elect a Chairman/Vice-Chairman of the Council**
- **To receive the Chairman’s declaration of acceptance of office or, if not then received, to decide when it shall be received**
- **In the ordinary year of election of the Council, to fill any vacancies left unfilled at the election by reason of insufficient nominations**
- **To decide when any declarations of acceptance of office which have not been received as provided by law should be received.**

11. ORDER OF BUSINESS – ORDINARY COUNCIL MEETING

At every meeting other than the Annual Parish Council meeting the first business shall be to appoint a Chairman if the Chairman and Vice-Chairman be absent, and to receive such declarations of acceptance of office and undertaking to observe the Council’s code of conduct as are required by law to be made or, if not then received, to decide when they shall be received.

12. ESTIMATES

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

13. **FURTHER ORDER OF BUSINESS**

After the business identified above has been completed the order of business, unless the Council otherwise decides, shall be as follows:

- To read and consider the Minutes (the Minutes may be taken as read if a copy has been circulated to members);
- **After consideration to approve the signature of the Minutes by the person presiding as a correct record;**
- **To deal with business expressly required by statute to be done.**

14. **RULES OF DEBATE**

No discussion of the Minutes shall take place except upon their accuracy. Corrections to the Minutes shall be made by resolution and recorded in the Minutes.

15. **RESOLUTIONS**

- A resolution or amendment shall not be discussed unless it has been proposed and seconded.
- If an amendment is moved, it shall be dealt with and if carried the resolution, as amended, shall take the place of the original resolution upon which any further amendment may be moved.
- A further amendment shall not be moved until the Council has disposed of every amendment previously moved.

16. **ROLE OF CHAIRMAN**

- The ruling of the Chairman on a point of order or rule of debate shall not be discussed.
- Members shall address the Chairman. If two or more members wish to speak, the Chairman shall decide who to call upon.
- Whenever the Chairman speaks during a debate all other members shall be silent.

17. **DISORDERLY CONDUCT**

- **All members must observe the Code of Conduct adopted by the Council.**
- No member shall at a meeting persistently disregard the ruling of the Chairman, wilfully obstruct business, behave irregularly, offensively, improperly or in such a manner as to bring the Council into disrepute.
- If, in the opinion of the Chairman, a member has broken the provisions of this Order, the Chairman shall express that opinion to the Council and any member may then move that the member be longer heard or removed from the meeting, and the motion, if seconded, shall be put forthwith and without discussion. If a member reasonably believes another member is in breach of the

code of conduct, that member is under a duty to report the breach to the Cheshire East Council Monitoring Officer.

- If either of the motions mentioned above is disobeyed, the Chairman may adjourn the meeting or take such further steps as may reasonably be necessary to enforce them.

18. MATTERS AFFECTING EMPLOYEES OF THE COUNCIL

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) has decided whether or not the press and public shall be excluded.

19. EXPENDITURE

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

20. COMMITTEES/SUB-COMMITTEES

The Council may at any meeting appoint or dissolve such committees and working groups as are considered necessary.

The Quorum of any committee shall be one-half of its members.

Chairmen of committees (or sub-committees) shall in the case of an equality of votes have a second or casting vote.

21. SPECIAL MEETINGS

A meeting of any committee or working group of the council may be summoned by the chairman of any such committee/ working group, by the Chairman of the Council, or by the Clerk at the request of members.

22. ACCOUNTS AND FINANCIAL STATEMENTS

- All accounts for payment and claims upon the Council shall be laid before the Council
- .Where it is necessary to make a payment before it has been authorised by the Council, such payment shall be certified as to its correctness and urgency by the appropriate officer. Such payment shall be authorised for payment by the proper officer with the approval of the Chairman or Vice-Chairman of the Council.
- All payments ratified under the previous bullet point shall be separately reported in the next schedule of payments before the Council.

23. FINANCIAL REPORTING – END OF YEAR ACCOUNTS

The Responsible Financial Officer shall supply each member as soon as practicable after 31st March in each year (but in any event no later than

31st May) a Financial Statement prepared on the appropriate accounting basis for the year to 31 March. The Statement of Accounts of the Council (which is subject to external audit) shall be presented to Council for formal approval before the end of the month of June each year.

24. ESTIMATES/PRECEPTS

The Council shall approve written estimates for the coming financial year at its meeting before the end of the month of January in each year.

25. INTERESTS

If a member has a personal interest as defined by the Code of Conduct then he shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required.

If a member who has declared a personal interest then considers the interest to be prejudicial, he must withdraw from the room or chamber during consideration of the item to which the interest relates.

The Clerk shall compile and hold a register of members' interests as required by statute.

26. INSPECTION OF DOCUMENTS

Any member may for the purpose of his/her duties (but not otherwise) inspect any document in possession of the Council.

All minutes kept by the Council shall be open for the inspection of any member of the Council.

27. ADMISSION OF THE PUBLIC

The public and press shall be admitted to all meetings of the Council and its committees, which may, however, temporarily exclude the public in accordance with statute.

At all meetings of the Council the Chairman may adjourn the meeting to allow any members of the public to address the meeting in relation to the business to be transacted at that meeting.

If a member of the public interrupts the proceedings at any meeting the Chairman may, after warning, order that he be removed from the meeting and may adjourn the meeting for such period as is necessary to restore order.

Notification of meetings shall be sent to the Cheshire East Councillor(s) for the ward as the case may require.

29. COMPLAINTS PROCEDURE

The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or member in such manner as adopted by the Council except for those complaints which should be properly directed to the Cheshire East Council Monitoring Officer for consideration.

30. SUSPENSION OF STANDING ORDERS

Any or every part of the Standing Orders may be suspended by resolution, except those identified by statute [i.e. in plain bold type].

Cllr Jo Thomas
Chair

Mark Bailey
Clerk

Approved 19th May 2021