

**STANDING ORDERS FOR
LLANTILIO PERTHOLEY COMMUNITY COUNCIL**

MEETINGS

1. Meetings of the Council shall be held at the Community Hall at 7.00pm on the 3rd Wednesday each month. Special meetings of the Council will be convened by the Clerk, at the request of the Chairman. The meeting shall continue for no longer than 2 hours without a break. On suspension of Standing Orders being proposed and seconded and carried by a majority of those Members present, the meeting shall continue for a further period of up to 30 minutes.
2. Planning meetings shall be held as and when required, convened by the Clerk, at the request of the Chairman.

CHAIRMAN OF MEETING

3. 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

4. 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 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 a County Council.
 - f. To certify copies of byelaws made by the Council.
 - g. To sign summonses to attend meetings of Council.
 - h. To provide a minute book for recording the proceedings of Council meetings.

In any other case the Proper Officer shall be the person nominated by the Council and, in default of nomination, the Clerk.

QUORUM

5. 4 Members shall constitute a quorum.
6. If a quorum is not present when the Council meets or if during a meeting the number of Councillors present and not debarred by reason of a declared interest falls below the quorum, the business not transacted at the meeting shall be transacted at the next meeting or on such other day as the Chairman may fix.

VOTING

7. Members shall vote by show of hands, or, if at least 2 Members so request, by signed ballot.
8. 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.
9. (1) Subject to (2) and (3) below 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 gave no original vote.

(2) 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.

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

ORDER OF BUSINESS

(In an election year Councillors should execute Declarations of Acceptance of Office in each others presence, or in the presence of a Proper Officer previously authorised by Council to take such declaration, before the annual meeting commences).

10. At each Annual Meeting the first business shall be
 - To elect a Chairman.
 - To receive the Chairman's declaration of acceptance of office or, if not then received, to decide when it shall be received.
 - To decide when any declarations of acceptance of office which have not been received as provided by law, shall be received.
 - To elect a Vice Chairman.
 - To appoint school governors.
 - To appoint committees.
 - To consider the payment of any subscriptions, falling to be paid annually.
 - To inspect any deeds and trust instruments in the custody of the Council; and shall thereafter follow the order set out in Standing Order 13.
11. At every meeting, other than the Annual 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 (if any) as are required by law to be made, or if not then received to decide when they shall be received.
12. In every year not later than the meeting at which the estimates for next year are settled, the Council shall review the pay and conditions of service of existing employees.
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 Council.
 - f. To answer questions.
 - 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 sealing of documents.
 - j. To authorise the signing of orders for payment.
 - k. To consider resolutions or recommendations in the order in which they have been notified.
 - l. Any other business specified in the summons.
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 duly 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 7 clear days before the next meeting of Council.
16. The Clerk shall date every notice of resolution or recommendation when received by him, 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 Council.
17. The Clerk shall insert in the summons of 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 intends to move at some later meeting or that he 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/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 question 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 a committee.
 - h. To appoint a committee or any Members thereof.
 - i. To adopt a report.
 - j. To authorise the sealing of documents.
 - k. To amend a resolution.
 - l. To give leave to withdraw a resolution or an amendment.
 - m. To extend the time limit for speeches.
 - n. To exclude the public.
 - o. To silence, or eject from the meeting, a Member named for misconduct.
 - p. To give the consent of the Council where such consent is required by these Standing Orders.
 - q. To suspend any Standing Order.

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 question 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.

RULES OF DEBATE

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

- 27.
- 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 before it is further discussed or put to the meeting.
 - b. A Member when seconding a resolution or amendment may, if he then declare his intention to do so, reserve his speech until a later period of the debate.
 - c. A Member shall direct his speech to the question under discussion, or to a personal explanation, or to a question of order.
 - d. No speech by a mover of a resolution shall exceed 3 minutes, and no other speech shall exceed 2 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 motion 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.
 - 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 of an amendment shall have a right of reply, not exceeding 2 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 a 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, 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.
 - m. When 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 and press.
 - ix. To adjourn the meeting.
28. A Member shall stand when speaking unless permitted by the Chairman to sit on account of infirmity.

29.
 - a. The ruling of the Chairman on a point of order, or on the admissibility of a personal explanation, shall not be discussed.
 - b. Members shall address the Chairman.
 - c. If two or more Members rise, the Chairman shall call upon one of them to speak and the others shall resume their seats.
 - d. Whenever the Chairman rises during a debate all other Members shall be seated and silent.

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 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, he shall call upon the mover to exercise or waive his right of reply and shall put the question immediately after that 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.
 - a. No Member shall at a meeting persistently disregard the ruling of the Chairman, wilfully obstruct business, or behave irregularly, improperly or in such a manner as to scandalise the Council or bring it into contempt or ridicule.
 - 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 paragraph (b) 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 to 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 a new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

ALTERATION OF RESOLUTION

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

RESCISSION OF PREVIOUS RESOLUTION

34. 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 at least 6 Members of the Council, or by a resolution moved in pursuance of the report or recommendation of a committee.
- b. When a special resolution has been disposed of, no similar resolution may be moved within a further six months.

VOTING ON APPOINTMENTS

35. When 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 stuck off the list and a fresh vote taken, and so on until a majority of votes 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 whether or not the public shall be excluded. (See Standing Order No. 63).

RESOLUTIONS OF 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, 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 to the next ordinary meeting of Council, and any committee affected by it shall consider whether it desires to report thereon (and the Finance Committee shall report on the financial aspect of the matter).

EXPENDITURE

38. Orders for the payment of money shall be authorised by resolution of the Council, and signed by two Members.

SEALING OF DOCUMENTS

39. a. A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution.

- b. Any two Members of the Council may seal, on behalf of the Council, any document required by law to be issued under seal.

COMMITTEES AND SUB-COMMITTEES

- 40. The Council may at the Annual Meeting appoint standing committees and may at any other time appoint such 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, and
 - b. May, subject to the provisions of Order 34 above, at any time dissolve or alter the membership of a committee.
- 41. The Chairman and Vice chairman shall be members of every committee.
- 42. Every committee shall at its first meeting before proceeding to any other business, elect a Chairman, and may elect a Vice Chairman, who shall hold office until the next Annual Meeting of the Council, and shall settle its programme of meetings for the year.
- 43. The Chairman of a committee or the Chairman of the Council may summon 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. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.
- 44. Every committee may appoint sub-committees for purposes 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 or sub-committee shall be one half of its Members.
- 47. The Standing Orders on rules of debate (except those parts relating to standing to speak more than once) and the Standing Order on interests of Members in contracts and other matters shall apply to committee and sub-committee meetings.

VOTING ON COMMITTEES

- 48. Members of committees and sub-committees shall vote by show of hands, or, if at least two Members so request, by signed ballot.
- 49. Chairmen 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

50. A Member who has proposed a resolution which has been referred to any committee of which he/she is not a member, may explain his resolution to the committee but shall not vote.

ACCOUNTS AND FINANCIAL STATEMENT

51. a. Except as provided in paragraph (b) of this Standing Order or by statute, all accounts for payment and claims upon the Council shall be laid before the Council.
b. 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 by the committee, if any, having charge of the business to which it relates, or by the Chairman or Vice Chairman of Council.
c. All payments ratified under paragraph (b) of this Standing Order shall be separately listed in the next schedule of payments laid before the Council.
52. The Clerk shall supply to each Member at the ordinary meeting next after the end of the Financial Year, a statement of receipts and payments.

ESTIMATES

53. a. The Council shall approve written estimates for the coming Financial Year, at its meeting in the month of January.
b. Any committee desiring to incur expenditure shall, not later than the November meeting, give to the Clerk a written estimate of the expenditure recommended for the coming year.

INTERESTS

54. If any Member has any interest, within the meaning of the relevant section of the Member Code of Conduct in place at the time, in any contract, proposed contract or other matter, he shall, while it is under consideration by the Council, withdraw from the meeting unless:-
- a.. The disability imposed upon him by those sections has been removed by the County Council; or
b. The Council invite him 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 a book to be kept for the purpose, particulars of any notice given by any Member, or any officer, of the Council of an interest in a contract, and the book shall be open during reasonable hours of the day for the inspection of any Member.

56. If a candidate for any appointment under the Council is to his/her knowledge related to any Member of or the holder of any office under the Council, he and the person to whom he/she is related shall disclose the relationship in writing to the Clerk. A candidate who fails to do so 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.

The Clerk shall make known the purport of this Standing Order to every candidate.

CANVASSING OF AND RECOMMENDATIONS BY MEMBERS

57. a. Canvassing of Members 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 shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but, nevertheless, a Member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
58. Standing Order Nos. 59 and 60 shall apply to tenders as if the person making the tender were a candidate for an appointment.

INSPECTION OF DOCUMENTS

59. A Member may for the purpose of his duty as such (but not otherwise), inspect any document in possession of the Council or a committee, and if copies are available shall, on request, be supplied for the like purpose with a copy.
60. All Minutes kept by the Council and by any committee, shall be open for the inspection of any Member of the Council.

UNAUTHORISED ACTIVITIES

61. 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:

unless authorised to do so by the Council of the relevant committee or sub-committee.

ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

62. The public shall be admitted to all meetings of the Council and its committees and sub-committees, which may, however, temporarily exclude the public by means of the following resolution, viz:-

“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 are instructed to withdraw”.

(Notes – 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 exclusion resolution is passed).

63. The Clerk shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present.
64. If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that he/she be removed from the Council Chamber. If the member of the public refuses to leave the Council Chamber the Chairman may suspend the business of the Council pending resolution of the matter.

CONFIDENTIAL BUSINESS

65. a. 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 by the Council, the committee or sub-committee as the case may be.
- b. Any Member in breach of the provision of paragraph (a) of this Standing Order shall be removed from any committee or sub-committee of the Council by the Council.

LIAISON WITH COUNTY COUNCILLORS

66. A notice of meeting shall be sent together with an invitation to attend to the County Councillors for the wards.
67. Unless the Council otherwise orders, a copy of each letter ordered to be sent to the County Council shall be transmitted to the County Councillor for the ward.

PLANNING APPLICATIONS

68. a. The Clerk shall, as soon as it is received, enter in a book kept for the purpose the following particulars of every planning application notified to the Council:-
- The date on which it was received.
 - The place to which it relates.
 - A summary of the nature of the application.

- b. The Clerk shall refer every planning application to the Chairman of the Planning Committee or in the Chairman's absence to the Vice Chairman within 48 hours of receiving it.

STANDING ORDER ON CONTRACTS

- 69.
 - a. Where it is intended to enter into a contract exceeding £1,000 but not exceeding £10,000 in value for the supply of goods or materials, or for the execution of work, the Clerk shall give at least three weeks public notice of such intention in the same manner as public notice of meetings of the Council is given.
Where the value of the intended contract exceeds £10,000, similar notice shall be given in addition to all firms included in the appropriate standing approved list of contractors maintained by the County Council, or, if no such list is maintained, then in such newspapers circulating in the County as the Council shall direct.
 - b. Notice of a contract exceeding £10,000 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 post.
 - c. Tenders shall be opened by the Clerk or other persons to whom tenders are required to be addressed, on the date specified pursuant to paragraph (a) of the order, and shall be opened by the person who opened them to the Council or, where the tenders have been sought by a committee or sub-committee to that committee or sub-committee.
 - d. Neither the Council nor any committee, or sub-committee, is bound to accept the lowest tender.
 - e. If no tenders are received, or if all the tenders are identical, the Council may make such arrangements for procuring the goods or materials, or executing the works, as it thinks fit.
 - f. A notice issued under this Standing Order shall contain a statement of the effect of Standing Orders Nos. 59, 60 and 61.

CODE OF CONDUCT ON COMPLAINTS

- 70. The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or Member in the manner recommended in guidance available at the time.

VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

- 71. Any or every part of the Standing Orders, except those printed, may be suspended by resolution in relation to any specific item of business.
- 72. 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.

CASUAL VACANCIES

73. The office of a Local Councillor becomes vacant:-
- a. If he/she fails to be qualified or becomes disqualified; or
 - b. If he/she fails to make a declaration of acceptance of office within the prescribed time; or
 - c. If he/she resigns in writing, at the moment the resignation reaches the Chairman; or on notification of the intention to resign being conveyed to the Chairman or
 - d. If he/she is absent for six consecutive months from meetings*, unless the reason for absence is approved by the Council, such approval, however, is not needed for absence by a Member of the forces, upon war service, or for absence by anyone in Her Majesty's Services in connection with a war or emergency, if the Secretary of State thinks that the reason for absence entitles him/her to relief.
- *Attendance at a committee or as a representative of the Council at another meeting counts as attendance at Council.
- The Chairman of a Local Council may resign from the Chair in writing, resignations take effect only when they are received by the body or person to whom they are addressed.

DECLARATION AND FILLING

74. If a Councillor ceases to be qualified or becomes disqualified (for any reason other than disqualified after audit, conviction, corruption, or illegal election practices) or if he/she is absent for six months for reasons not approved by the Council, it must declare his/her office vacant.
75. Every vacancy whether so declared or not, must be publicly notified.
76. If no poll is claimed within 14 days by 10 Electors, a casual vacancy is filled by co-option, and the Local Council must be convened for the purpose forthwith.
77. An absolute majority of those present and voting is required to choose a new Councillor.

METHODS FOR FILLING VACANCIES BY CO-OPTION

78. Co-option to the Council shall be by written application, all candidates to be interviewed at a special meeting, or at the monthly meeting of Council. The successful candidate will be chosen by an absolute majority of those present by a secret ballot, if requested.

MEMBER INVOLVEMENT IN ACTIVITIES IN ANOTHER MEMBER'S WARD

79. A Member shall not engage in activities in another Member's Ward without the express knowledge/consent of the Ward Member. If a Member is approached by a member of the public resident in another Members Ward, the individual and the question/query should be referred to the relevant Ward Member, or if that was not possible, or inappropriate, the matter should be referred direct to the Chairman.

STANDING ORDERS TO BE GIVEN TO MEMEBERS

80. A copy of these Standing Orders shall be given to each Member, by the Clerk, upon delivery to him of the Members' declaration of acceptance of office.