

**WINTERINGHAM PARISH COUNCIL**  
**STANDING ORDERS**  
**Adopted by the Parish Council on 4<sup>th</sup> July 2018**

**1. MEETINGS**

- a) Meetings of the Parish Council shall be held in the Tom Thrush Room at the Village Hall on the  
first Tuesday of each month commencing at 7.30pm.  
(Unless the Councillors decide otherwise at a previous meeting)
- b) Smoking is not permitted at any meeting of the Parish Council.
- c) Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.
- d) The minimum three clear days for notice of a meeting 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.
- e) A person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.
- f) A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission

**2. EXTRAORDINARY MEETINGS AND COMMITTEES**

- a) The Chairman of the Council may convene an extraordinary meeting of the Council at any time.
- b) If the Chairman of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two councillors.
- c) Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.
- d) The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.
- e) Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.

**3. ANNUAL PARISH ASSEMBLY**

The Statutory Annual Parish Council Meeting will be held:

- a) In an Election Year on the Tuesday following the fourth day after the day of the election.
- b) In a year where there is no election on the first Tuesday in May.
- c) The first business conducted at the annual meeting of the Council shall be the election of the Chairman and Vice-Chairman (if there is one) of the Council.
- d) The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.

- e) The Vice-Chairman of the Council, if there is one, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.
- f) In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he 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.
- g) In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he shall preside at the annual meeting until a new Chairman of the Council has been elected. He 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.
- h) Following the election of the Chairman of the Council and Vice-Chairman (if there is one) of the Council at the annual meeting, the business shall include: In an election year, delivery by the Chairman of the Council and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council of his acceptance of office form unless the Council resolves for this to be done at a later date.
- i) The Election of any other officers and representative will then take place.

#### **4. CHAIRMAN OF THE COUNCIL**

- a) The Chairman and Vice Chairman for the Council are to be elected by the Councillors at the Annual Parish Council Meeting
- b) When the elected Chairman cannot be present at any meeting the Vice Chairman should preside or if the Vice Chair is not present then the other councillors shall elect a Chairman for the meeting
- c) The person presiding at a meeting may exercise all 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 to the Proper Officer of the Council in the following cases this will be the Clerk

- a) To receive the declaration of the Acceptance of Officer
- b) To receive and record notices disclosing pecuniary interests
- c) To receive and retain any planning documents received
- d) To sign notices and other documents on behalf of the Parish Council
- e) To receive copies of Byelaws made by North Lincolnshire Council
- f) To issue agendas and summons to attend meetings of the Parish Council also to keep a accurate record of the meetings and to circulate the minutes to the Councillor
- g) Any two councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.

#### **6. QUORUM**

No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three. If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.

## **7. VOTING**

- a) Members shall vote by a show of hands (or if any Councillor requests by a secret ballot)
- b) If any Councillor so requests the Clerk shall record the names of members of the Councillor who voted in any matter, so as to show whether they voted for or against.
- c) The Chairman at any meeting may give an original vote on any matter and in the case of an equality of votes may also give a casting vote. (If this Chairman is presiding at the Annual Meeting following the election and is no longer a member of the Council then he/she may not give an original vote in the election of the Chairman but if necessary must give the casting vote)
- d) Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.

## **8. RESOLUTIONS**

- a) No resolution shall be discussed and voted on unless it is on the agenda for the meeting.
- b) In the case of any new business the mover must give the details to the Clerk at least **7 days prior** to the meeting so that the item can be put on the agenda for the meeting.

## **9. DISORDERLY CONDUCT BY ANY COUNCILLOR**

No member of the Council shall at any meeting persistently disregard the ruling of the Chairman, wilfully obstruct business or behave in any irregular, offensive, improper way or in any such manner to bring the Parish Council into contempt or ridicule.

Upon notification by the District or Unitary 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 him. Such action excludes disqualification or suspension from office.

## **10. REVERSAL OF A PREVIOUS RESOLUTION**

A decision (whether affirmative or negative) of the Council shall not be reversed within six months except by a special resolution, the written notice of which bears the names of at least two members of the Council

## **11. VOTING ON APPOINTMENTS**

Where more than two Councillors have been nominated for any position and the votes cast do not show an absolute majority in favour of one person then 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 of votes is given to one person).

## **12. DISCUSSIONS AND RESOLUTIONS AFFECTING AN EMPLOYEE OF THE COUNCIL**

If, at any meeting, a question arises relating to the appointment, conduct, dismissal, salary or conditions of service of any person employed by the Council, it shall not be discussed until the Councillors have decided whether or not any member of the public shall be asked to leave the meeting.

## **13. INTERESTS**

The Clerk shall record in a book, kept specifically for this purpose, the particulars of any Notice of Interest given by any member of the Council or the Clerk to the Council. This book shall be open for inspection by any member of the Council.

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 in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.

A dispensation may be granted if having regard to all relevant circumstances any of the following apply:

- i. without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the

- transaction of the business;
- ii. granting the dispensation is in the interests of persons living in the Council's area; or
  - iii. it is otherwise appropriate to grant a dispensation.

#### **14. MINUTES**

The minutes kept by the Council (once agreed by the Councillors and signed by the Chairman) shall be open to members of the public.

#### **15. ADMISSION OF THE PUBLIC AND PRESS**

Members of the public and the Press shall be admitted to all meetings of the Parish Council. However, the Councillors may temporarily exclude members of the public and Press by means of the following resolution: "It is the opinion of the members of Winteringham Parish Council that in view of the nature of the business about to be transacted it is advisable for the public and Press to be temporarily excluded and they are therefore instructed to withdraw from the meeting."

#### **16. THE PRESS**

The Clerk shall afford the Press reasonable facilities for the taking of a report of any proceedings at which they are entitled to be present.

#### **17. BEHAVIOUR OF MEMBERS OF THE PUBLIC**

If any member of the public interrupts the proceedings of any meeting, the Chairman may, after issuing a warning, order that he/she be removed from the meeting.

#### **18. CONFIDENTIALITY**

No member of the Parish Council shall disclose to any person who is not a member of the council any business discussed in meetings until the minutes of this meeting have been agreed and signed. Also no member of the Council shall discuss the names of Councillors voting for or against any issue.

#### **19. MANAGEMENT OF INFORMATION**

- a) The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.
- b) The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).
- c) The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.
- d) Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.
- e) If the Council's gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.
- f) In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.
- g) *If gross annual income or expenditure (whichever is higher) does not exceed £25,000* The Council shall publish information in accordance with the requirements of the Smaller Authorities (Transparency Requirements) (England) Regulations 2015.
- h) The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.

- i) The Council shall have a written policy in place for responding to and managing a personal data breach.
- j) 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.
- k) 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.
- l) The Council shall maintain a written record of its processing activities.

**19. NORTH LINCOLNSHIRE COUNCILLORS**

Notice of the date and the agenda for the next Parish Council shall be sent to Ward Councillors.

**20. SUSPENSION OF STANDING ORDERS**

These Standing Order may be suspended on a motion proposed by the Chair providing that this motion is supported by two thirds of the Councillors present at the meeting.

**21. STANDING ORDERS TO BE GIVEN TO MEMBERS**

A copy of these Standing Orders shall be given to each member of the Parish Council.