

Brampton Ash Parish Council

Standing Orders

**Adopted by the Parish Council at its Meeting Held on
17 October 2013**

**Reviewed by the Parish Council at its Meeting Held on
21 May 2015**

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1 Meetings

Mandatory for full Council meetings	●
Mandatory for committee meetings	●
Mandatory for sub-committee meetings	●

- a **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.**
- b **When calculating the 3 clear days for notice of a meeting to councillors and the public, 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 shall not count.**
- c **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- d Subject to standing order 1(c) above, members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included in the agenda.
- e The period of time which is designated for public participation in accordance with standing order 1(d) above is at the Chairman's discretion.
- f Subject to standing order 1(e) above, each member of the public is entitled to speak once only in respect of business itemised on the agenda and shall not speak for more than 3 minutes.
- g In accordance with standing order 1(d) above, a question asked by a member of the public during a public participation session at a meeting shall not require a response or debate.
- h In accordance with standing order 1(g) above, the Chairman may direct that a response to a question posed by a member of the public be referred to a Councillor for an oral response or to the Clerk for a written or oral response.
- i A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- j Any person speaking at a meeting shall address his comments to the Chairman.
- k Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chairman shall direct the order of speaking.
- l **Photographing, recording, broadcasting or transmitting the proceedings of a meeting is permitted, subject to the protocol appended to this document.**
- m **In accordance with standing order 1(c) above, the press shall be provided reasonable**

- facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.
- n Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman may in his absence be done by, to or before the Vice-Chairman (if any).
- o The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.
- p Subject to model standing order 1 (q) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.
- q The Chairman may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote. *(See also standing orders 2 (h) and (i) below.)*
- r Unless standing orders provide otherwise, voting on any question shall be by a show of hands. At the request of a Councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.
- s The minutes of a meeting shall record the names of councillors present and absent.
- t The code of conduct adopted by the Council shall apply to councillors in respect of the entire meeting.
- u An interest arising from the code of conduct adopted by the Council, the existence and nature of which is required to be disclosed by a Councillor at a meeting shall be recorded in the minutes. *(See also standing order 7 below.)*
- v 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 3.
- w If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be adjourned. Any outstanding business of a meeting so adjourned shall be transacted at a following meeting.

2 Ordinary Council Meetings

See also standing order 1 above

- a In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the new councillors elected take office.
- b In a year which is not an election year, the annual meeting of a Council shall be held on such day in May as the Council may direct.
- c If no other time is fixed, the annual meeting of the Council shall take place at 7.30pm.
- d In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council directs.
- e The election of the Chairman and Vice-Chairman (if any) of the Council shall be the first business completed at the annual meeting of the Council.
- f 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.
- g The Vice-Chairman of the Council, if any, 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.
- h 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 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 must give a casting vote in the case of an equality of votes.
- i 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 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 must give a casting vote in the case of an equality of votes.
- j Following the election of the Chairman of the Council and Vice-Chairman of the Council at the annual meeting of the Council, the order of business shall be as follows:
 - i. In an election year, delivery by councillors of their declarations of acceptance of office
 - ii. Confirmation of the accuracy of the minutes at the previous annual meeting of the Council
 - iii. Review and adoption of appropriate standing orders and financial regulations
 - iv. Review of inventory of land and assets including buildings and office equipment

- v. Review of the Council's and/or employees memberships of other bodies
- vi. Establishing or reviewing the Council's complaints procedure
- vii. Establishing or reviewing the Council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998

3 Proper Officer

- a The Proper Officer for this Council is the clerk.
- b **The Council's Proper Officer shall do the following.**
 - i. **Upon the Council having first resolved that service of summons on councillors confirming the time, date, venue and the agenda for a meeting by delivery or post at their residences at least 3 clear days before a meeting is not expedient, electronically serve on councillors a summons confirming the time, date, venue and the agenda of a meeting of the Council at least 3 clear days before the meeting provided any such email contains the title of the Proper Officer.**
 - ii. **Give public notice of the time, date, venue and agenda at least 3 clear days before a meeting of the Council (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**
 - iii. **Convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office, in accordance with standing order [3(b)i] OR [3(b)ii] above.**
 - iv. Make available for inspection the minutes of meetings.
 - v. **Receive and retain declarations of acceptance of office from councillors.**
 - vi. Retain a copy of every councillor's register of interests and any changes to it and keep copies of the same available for inspection.
 - vii. Keep proper records required before and after meetings;
 - viii. Process all requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council's procedures relating to the same.
 - ix. Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
 - x. Manage the organisation, storage of and access to information held by the Council in paper and electronic form.
 - xi. Arrange for legal deeds to be signed by 2 councillors and witnessed (*See also model standing orders 13(a) and (b).*)
 - xii. Arrange for the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations.
 - xiii. Record every planning application notified to the Council and the Council's response to the local planning authority ;
 - xiv. Refer a planning application received by the Council to the Chairman or in his absence the Vice-

Chairman of the as soon as practicable to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Council committee. Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.

4 Motions Requiring Written Notice

- a** No motion may be moved at a meeting unless it is included in the agenda and the mover has given written notice of its wording to the Council's Proper Officer at least 3 clear days before the next meeting.
- b** The Proper Officer may, before including a motion in the agenda received in accordance with standing order 4(a) above, correct obvious grammatical or typographical errors in the wording of the motion.
- c** If the Proper Officer considers the wording of a motion received in accordance with standing order 4(a) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer in clear and certain language at least 7 clear days before the meeting.
- d** If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Chairman of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to consider whether the motion shall be included or rejected in the agenda
- e** Having consulted the Chairman or councillors pursuant to standing order 4(d) above, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.
- f** Every motion rejected in accordance with the Council's standing orders shall be duly recorded with a note by the Proper Officer giving reasons for its rejection
- g** Every motion and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area or its residents.

5 Motions Not Requiring Written Notice

- a.** Motions in respect of the following matters may be moved without written notice.
 - i. To appoint a person to preside at a meeting.
 - ii. To approve the absence of councillors
 - iii. To approve the accuracy of the minutes of the previous meeting.
 - iv. To correct an inaccuracy in the minutes of the previous meeting.
 - v. To dispose of business, if any, remaining from the last meeting.
 - vi. To alter the order of business on the agenda for reasons of urgency or expedience.

- vii. To proceed to the next business on the agenda.
- viii. To close or adjourn debate.
- ix. To refer by formal delegation a matter to a committee or to a sub-committee or an employee.
- x. To appoint a committee or sub-committee or any councillors (including substitutes thereto).
- xi. To receive nominations to a committee or sub-committee.
- xii. To dissolve a committee or sub-committee.
- xiii. To note the minutes of a meeting of a committee or sub-committee.
- xiv. To consider a report and/or recommendations made by a committee or a sub-committee or an employee.
- xv. To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
- xvi. To authorise legal deeds signed by two councillors and witnessed.
(*See standing orders 13(a) and (b) below.*)
- xvii. To authorise the payment of monies.
- xviii. To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
- xix. To extend the time limit for speeches.
- xx. To exclude the press and public for all or part of a meeting.
- xxi. To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
- xxii. To give the consent of the Council if such consent is required by standing orders.
- xxiii. To suspend any standing order except those which are mandatory by law.**
- xxiv. To adjourn the meeting.
- xxv. To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
- xxvi. To answer questions from councillors.

- b. If a motion falls within the terms of reference of a committee or sub-committee or within the delegated powers conferred on an employee, a referral of the same may be made to such committee or sub-committee or employee provided that the Chairman may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

6 Rules of Debate

- a. Motions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Chairman's direction for reasons of expedience.

- b.** A motion shall not be considered unless it has been proposed and seconded.
- c.** A motion included in an agenda not moved by the councillor who tabled it, may be treated as withdrawn.
- d.** A Councillor may move amendments to his own motion.
- e.** Any amendment to a motion shall be either:
 - i.** to leave out words;
 - ii.** to add words;
 - iii.** to leave out words and add other words.
- f.** A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration.
- g.** Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman. No further amendment to a motion shall be moved until the previous amendment has been disposed of
- h.** Subject to Standing Order 6 (g) above, one or more amendments may be discussed together if the Chairman considers this expedient but shall be voted upon separately.
- i.** Pursuant to standing order 6(h) above, the number of amendments to an original or substantive motion, which may be moved by a councillor, is limited to one.
- j.** If an amendment is not carried, other amendments shall be moved in the order directed by the Chairman.
- k.** If an amendment is carried, the original motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.
- l.** The mover of a motion or the mover of an amendment shall have a right of reply, not exceeding 3 minutes.
- m.** During the debate of a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A Councillor raising a point of order shall identify the standing order which he considers has been breached or specify the irregularity in the meeting he is concerned by.
- n.** A point of order shall be decided by the Chairman and his decision shall be final.
- o.** With the consent of the meeting, a motion or amendment may be withdrawn by the proposer. A councillor shall not speak upon the said motion or amendment unless permission for the withdrawal of the motion or amendment has been refused.
- p.** When a councillor's motion is under debate no other motion shall be moved except:
 - i.** to amend the motion;
 - ii.** to proceed to the next business;

- iii. to adjourn the debate;
 - iv. to put the motion to a vote;
 - v. to ask a person to be silent or for him to leave the meeting;
 - vi. to refer a motion to a committee or sub-committee for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting;
 - ix. to suspend any standing order, except those which are mandatory.
- q. In respect of standing order 6(p)(iv) above, the Chairman shall first be satisfied that the motion has been sufficiently debated before it is seconded and put to the vote. The Chairman shall call upon the mover of the motion under debate to exercise or waive his right of reply and shall put the motion to the vote after that right has been exercised or waived. The adjournment of a debate or of the meeting shall not prejudice the mover's right of reply at the resumption.

7 Code of Conduct (England)

See also model standing orders 1(d)–(i) above

A revised statutory code of conduct came into force in June 2012

- a. **All councillors shall observe the code of conduct adopted by the Council.**
- b. **Councillors with a disclosable pecuniary interest in relation to any item of business being transacted at a meeting shall not participate in a discussion or vote on the matter. At the discretion of the Council they may be asked by resolution to leave the room or chamber.**
- c. **Councillors with a disclosable interest other than pecuniary in relation to any item of business being transacted at a meeting may speak on the matter only if members of the public are also allowed to speak at the meeting. The Councillor shall not vote on the matter.**
- d. **Where a matter arises which relates to a financial interest of a friend, relative or close associate, the member shall disclose the nature of the interest & not vote on the matter. He/she may speak on the matter only if members of the public are also allowed to speak at the meeting.**
- e. **On a written request made to the Council's Proper Officer, the Council may grant a member a dispensation to participate in a discussion & vote on a matter at a meeting even if he/she has a disclosable interest if the Council considers it appropriate.**

8 Minutes

- a. If a copy of the draft minutes of a preceding meeting has been circulated to councillors no later than the day of service of the summons to attend the scheduled meeting they shall be taken as read.
- b. No discussion of the draft minutes of a preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the minutes shall be raised in accordance with standing

order 5(a)(iv) above.

- c. Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the Chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d. If the Chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:

“The Chairman of this meeting does not believe that the minutes of the meeting of the () held on [date] in respect of () were a correct record but his view was not upheld by the majority of the () and the minutes are confirmed as an accurate record of the proceedings.”
- e. Upon a resolution which confirms the accuracy of the minutes of a meeting, any previous draft minutes or recordings of the meeting shall be destroyed.

9 Disorderly Conduct

- a. No person shall obstruct the transaction of business at a meeting or behave offensively or improperly.
- b. If, in the opinion of the Chairman, there has been a breach of standing order 9 (a) above, the Chairman shall express that opinion and thereafter any councillor (including the Chairman) may move that the person be silenced or excluded from the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
- c. If a resolution made in accordance with standing order 9 (b) above, is disobeyed, the Chairman may take such further steps as may reasonably be necessary to enforce it and/or he may adjourn the meeting.

10 Rescission of Previous Resolutions

- a. A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months except either by a special motion, the written notice whereof bears the names of at least 3 councillors of the Council, or by a motion moved in pursuance of the report or recommendation of a committee.
- b. When a special motion or any other motion moved pursuant to standing order 10 (a) above has been disposed of, no similar motion may be moved within a further 6 months.

11 Voting On Appointments

- a. Where more than 2 persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a

majority of votes is given in favour of one person. Any tie may be settled by the Chairman's casting vote.

12 Expenditure

- a. Any expenditure incurred by the Council shall be in accordance with the Council's financial regulations.
- b. **The Council's financial regulations shall be reviewed once a year.**
- c. **The Council's financial regulations may make provision for the authorisation of the payment of money in exercise of any of the Council's functions to be delegated to a committee, sub-committee or to an employee.**

13 Execution and Sealing of Legal Deeds

See also standing order 5(a)(xvi) above

- a. A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.
- b. **In accordance with a resolution made under standing order 13(a) above, any two members of the Council, may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.**

14 Extraordinary Meetings

See also standing order 1 above

- 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 or refuses to call an extraordinary meeting of the Council within 7 days of having been requested to do so by two councillors, those two councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two councillors.**

15 Advisory Committees

See also standing order 1 above

- a. The Council may appoint advisory committees comprised of a number of councillors and non-councillors.
- b. Advisory committees and any sub-committees may consist wholly of persons who are non-councillors.

16 Accounts and Financial Statement

- a. All payments by the Council shall be authorised, approved and paid in accordance with the Council's financial regulations, which shall be reviewed at least annually.

- b. The Responsible Financial Officer shall supply to each council meeting a statement summarising the Council's receipts and payments balances held. A Financial Statement prepared on the appropriate accounting basis (receipts and payments, or income and expenditure) for a year to 31 March shall be presented to each councillor before the end of the following month of May. The Statement of Accounts of the Council (which is subject to external audit), including the annual governance statement, shall be presented to Council for formal approval before 30 June.

17 Estimates/Precepts

- a. **The Council shall approve written estimates for the coming financial year** at its meeting before the end of January.

18 Canvassing of and Recommendations by Councillors

- a. Canvassing councillors or the members of a committee or sub-committee, directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such an appointment. The Proper Officer shall disclose the requirements of this standing order to every candidate.
- b. A councillor or a member of a committee or sub-committee shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for promotion; but, nevertheless, any such person may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- c. This standing order shall apply to tenders as if the person making the tender were a candidate for an appointment

19 Inspection of Documents

- a. Subject to standing orders to the contrary or in respect of matters which are confidential, a councillor may, for the purpose of his official duties (but not otherwise), inspect any document in the possession of the Council or a committee or a sub-committee, and request a copy for the same purpose. The minutes of meetings of the Council, its committees or sub-committees shall be available for inspection by councillors.

20 Unauthorised Activities

- a. Unless authorised by a resolution, no individual councillor shall in the name or on behalf of the Council, a committee or a sub-committee:
 - i. inspect any land and/or premises which the Council has a right or duty to inspect; or
 - ii. issue orders, instructions or directions.

21 Confidential Business

- a. Councillors shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature.
- b. A councillor in breach of the provisions of standing order 23(a) above may be removed from a committee or a sub-committee by a resolution of the Council.

22 General Power of Competence (England)

- a. **Before exercising the general power of competence, a meeting of the full Council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria required to qualify as an eligible parish council.**
- b. **The Council's period of eligibility begins on the date that the resolution under standing order 22 (a) above was made and expires on the day before the annual meeting of the Council that takes place in a year of ordinary elections.**
- c. **After the expiry of its preceding period of eligibility, the Council continues to be an eligible council solely for the purpose of completing any activity undertaken in the exercise of the power which was not completed before the expiry of the Council's preceding period of eligibility referred to in standing order 22(b) above.**

23 Freedom of Information Act 2000

- a. All requests for information held by the Council shall be processed in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000.
- b. Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the chairman . The said committee shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000 including exercising the powers of the Proper Officer in respect of Freedom of Information requests set out under standing order 3(b)(viii) above.

24 Relations with the Press/Media

- a. All requests from the press or other media for an oral or written statement or comment from the Council shall be processed in accordance with the Council's policy in respect of dealing with the press and/or other media.
- b. In accordance with the Council's policy in respect to dealing with the press and/or other media, councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media.

25 Liaison with District and County or Unitary Councillors

- a. An invitation to attend a meeting of the Council may be sent, together with the agenda, to the councillor of the District and County or Unitary Council representing its electoral ward.

26 Financial Matters

- a. The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - i. the accounting records and systems of internal control;
 - ii. the assessment and management of financial risks faced by the Council;
 - iii. the work of the Internal Auditor and the receipt of regular reports from the Internal Auditor, which shall be required at least annually;
 - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments;
- b. **Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £50,000 shall be procured on the basis of a formal tender as summarised in standing order 29(c) below.**
- c. Any formal tender process shall comprise the following steps:
 - i. a public notice of intention to place a contract to be placed in a local newspaper;
 - ii. a specification of the goods, materials, services and the execution of works shall be drawn up;
 - iii. tenders are to be sent, in a sealed marked envelope, to the Proper Officer by a stated date and time;
 - iv. tenders submitted are to be opened, after the stated closing date and time, by the Proper Officer and at least one member of the Council;
 - v. tenders are then to be assessed and reported to the appropriate meeting of Council or Committee.
- d. Neither the Council, nor any committee, is bound to accept the lowest tender, estimate or quote.
- e. **Where the value of a contract is likely to exceed £138,893 (or other threshold specified by the Office of Government Commerce from time to time) the Council must consider whether the Public Contracts Regulations 2006 (SI No.5, as amended) and the Utilities Contracts Regulations 2006 (SI No. 6, as amended) apply to the contract and, if either of those Regulations apply, the Council must comply with EU procurement rules.**

27 Allegations of Breaches of the Code of Conduct

- a. On receipt of a notification that there has been an alleged breach of the code of conduct the Proper Officer shall refer it to the Chair or Vice Chair..
- b. Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the

Chairman of that fact, who, upon receipt of such notification, shall nominate a person to assume the duties of the Proper Officer set out in the remainder of this standing order, who shall continue to act in respect of that matter as such until the complaint is resolved.

- c. The subject matter of notifications shall be confidential and, insofar as it is possible to do so by law, the Council (including the Proper Officer and the Chairman) shall take the steps set out below, together with other steps considered necessary, to maintain confidentiality.
 - i. Draft the summonses and agendas in such a way that the identity and subject matter of the complaint are not disclosed.
 - ii. Ensure that any background papers containing the information set out in standing order 27(a) above are not made public.
 - iii. Ensure that the public and press are excluded from meetings as appropriate.
 - iv. Ensure that the minutes of meetings preserve confidentiality.
 - v. Consider any liaison that may be required with the person or body with statutory responsibility for the investigation of the matter.
- d. Standing order 27(d) above should not be taken to prohibit the Council (whether through the Proper Officer or the Chairman, Vice Chairman or otherwise) from disclosing information to members and officers of the Council or to other persons where such disclosure is necessary to deal with the complaint or is required by law.
- e. The Chair and Vice Chair shall have the power to:
 - i. seek documentary and other evidence from the person or body with statutory responsibility for investigation of the matter;
 - ii. seek and share information relevant to the complaint;
 - iii. grant the member involved a financial indemnity in respect of legal costs, which shall be in accordance with the law and subject to approval by a meeting of the full Council.
- f. References in standing order 27 to a notification shall be taken to refer to a communication of any kind which relates to a breach or an alleged breach of the code of conduct by a councillor.

28 Variation, Revocation and Suspension of Standing Orders

- a. Any or every part of the standing orders, except those which are mandatory by law, may be suspended by resolution in relation to any specific item of business.
- b. A motion to permanently add to or to vary or to revoke one or more of the Council's standing orders, not mandatory by law, shall be proposed by a special motion, the written notice whereof bears the names of at least 3 councillors.

29 Standing Orders to Be Given to Councillors

- a.** The Proper Officer shall provide a copy of the Council's standing orders to a councillor upon delivery of his declaration of acceptance of office.
- b.** The Chairman's decision as to the application of standing orders at meetings shall be final
- c.** A councillor's failure to observe standing orders more than 3 times in one meeting may result in him being excluded from the meeting in accordance with standing orders.

Brampton Ash Parish Council

Protocol On Recording, Filming and Photographing of Parish Council Meetings

This Protocol Was Adopted by the Parish Council on 21 May 2015, Item7.

This protocol sets out guidance for members of the press and public who wish to film, record, photograph or use social media to report on the proceedings of all Parish Council meetings that are open to the public.

a Introduction

- 1.1 Whilst no prior permission is required to carry out this activity the Parish Council encourages any person wishing to do so to advise the Clerk in advance so that necessary arrangements can be made at the public meeting.
- 1.2 An area of the meeting room will be designated for the purpose of recording, filming or photographing. Those wishing to carry out these activities are required to remain in this area to avoid disruption at the meeting.
- 1.3 The Council requests that persons seated in the public area of the meeting room are not included in any film or photograph. Please respect the wishes of the public who do not wish to be filmed or photographed.
- 1.4 Where a public meeting is held on site please contact the Clerk to allow appropriate arrangements to be made to avoid disruption or interference.
- 1.5 The Parish Council requests that any recording, filming or otherwise is undertaken in an open and overt manner so that it is clearly visible to anyone attending the meeting.
- 1.6 The public or press undertaking these activities must not act in a disruptive manner.
- 1.7 The Parish Council may, itself, film, report or broadcast its meetings and can retain, use or dispose of such material in a legally appropriate manner.

2. Reporting and commentary

- 2.1 Reports of a meeting may be via any social media.
- 2.2 A person can provide written commentary during a meeting, as well as oral commentary outside or after a meeting. However, oral commentary is not permitted during a meeting as it would be disruptive to the good order of the meeting.
- 2.3 The majority of the Parish Council's meetings are open to the public. However, where it is agreed to formally exclude the press and public from the meeting due to the confidential nature of the business to be discussed the meeting cannot be recorded. You are not permitted to leave recording equipment in a room where a private meeting is being held.
- 2.4 The use of social media should be carried out in a non-disruptive manner and only to the extent that it does not interfere with that person's ability or that of others to follow the debate or discussion.

3. Disruption

3.1 If anyone undertaking these activities acts in a disruptive manner it could result in being excluded from the meeting.

Examples can include:

- Moving outside the designated area without the consent of the Chairman
- Excessive noise in recording, setting up or placing equipment during debate or discussion
- Intrusive lighting and use of flash photography
- Interruption of the meeting or asking people to repeat statements for the recording.

4. Are there any limits on recording or what people say?

4.1 Please respect the wishes of the public who do not wish to be filmed or photographed. Written consent is required from the parent/guardian of children under 18 and vulnerable adults for their protection.

4.2 Freedom of speech within the law should also be exercised with personal and social responsibility, showing respect and tolerance towards the views of others.

4.3 The Parish Council asks that those recording proceedings do not edit a recording in a way that could lead to misinterpretation of the proceedings or infringe the core values of the Council. This includes refraining from editing an image or views expressed in a way that may ridicule or show a lack of respect towards those being filmed or recorded.

4.4 **The 'law of the land' applies, including the law of defamation and the law on public order offences.** (Data Protection Act 1998 & Crown Prosecution Service guidance on social media)

4.5 Any person choosing to film, record, photograph or broadcast any public meeting is responsible for any claims or liability arising from their actions.

5. General

5.1 The Parish Council will display a notice of the above requirements as to filming, recording and broadcasting at its meeting venues and those undertaking these activities will be deemed to have accepted them whether they have read them or not.

5.2 The Chair of the meeting has the absolute authority to stop or suspend the meeting and take appropriate action if any person contravenes these principles or is deemed to be using a device in a disruptive manner.

5.3 The Parish Council encourages anyone wishing to film, record, photograph or broadcast meetings to read the guide to Open and Accountable Local Government published by the Department for Communities and Local Government:
<https://www.gov.uk/government/publications/open-and-accountable-local-government-plain-english-guide>

You may contact Brampton Ash Parish Council by writing to the Parish Clerk at:
21 Springfield Road, Wilbarston LE16 8QR or by telephone: 01536 771470 or by email:
bramptonashparishcouncil@outlook.com
Website: <http://www.parish-council.com/bramptonash>



National Association of Local Councils

How to use model standing orders: Notes

As explained in *How to use this publication (page 6)*, a word format of Part two is separately available free of charge to local councils in membership of the National Association of Local Councils (NALC) or One Voice Wales (OVW). This can be obtained from the members' area of NALC's website, from local County Associations (CALCs) or OVW. A word format of the model standing orders should assist local councils, in membership of NALC or OVW, to edit and adapt them for their own use.

The purpose of Part one – Law and Procedure for Local Councils is to provide a comprehensive and relevant commentary on all of the model standing orders in Part two – Model Standing Orders for Local Councils. *Section 7: Effective governance (page 49)* and *Section 8: Council meetings (page 52)* in Part one confirmed that a local council should undertake a review of its standing orders annually and explained why this is necessary.

Standing orders for the organisation and transaction of Councils' business are decided by full Council. A committee or sub-committee may decide its own standing orders if its appointing body (which is the Council in the case of a committee or a committee in the case of a sub-committee) has not made standing orders which apply to them.

As explained in *How to use this publication (page 6)*, the model standing orders in **bold type** should not be ignored or substantively amended unless the legislation out of which they are born changes. It is recommended that a Council adopts the model standing orders in bold type in their current form because these reflect statutory requirements. If a Council wants to slightly alter the wording of the model standing orders in bold type, any such amendments must not have the effect of undermining, overriding or conflicting with statutory requirements.

Model standing orders, not highlighted in bold type, do not incorporate statutory requirements. They are aimed at (i) highlighting matters that merit regulation by standing orders and (ii) encouraging use of standing orders to regulate routine administrative arrangements. They may be adapted in their current form but are more likely to require adapting or supplementing to suit a Council's particular needs. Once again, a Council is reminded not to adopt standing orders which undermine, override or conflict with any requirements imposed by legislation.

- Some model standing orders indicate by use of '()' that information must be inserted before being adopted.
- Some model standing orders indicate by use of the term 'OR' that an alternative option may apply.

As explained in *How to use this publication (see page 6)*, Part two does not include financial regulations, namely a comprehensive set of model standing orders for the regulation of a Council's financial affairs and accounting procedures. Any reference in the model standing orders to financial regulations is a reference to a Council's standing orders for the regulation of its financial affairs.