

**PENALLY COMMUNITY COUNCIL
CYNGOR CYMUNED PENALUN**

STANDING ORDERS

[Subject to periodic revision/amendment as necessary]

[Any changes to be recorded in minutes]

1 MEETINGS

Meetings of the Council shall be held on the second Wednesday of each month at 7.15pm except in the month of August when there is no scheduled meeting. Meetings shall normally be held in the Village Hall. In addition, extraordinary meetings may be convened when business requires action prior to the next scheduled meeting. [eg Planning consultations from County Hall and/or National Park Authy].

2 STATUTORY ANNUAL MEETING

In an election year shall be held on the Wednesday next following the fourth day after the ordinary day of elections to the council, or in a year which is not an election year on the second Wednesday in May.

3 CHAIRMAN OF 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.

4 PROPER OFFICER

Where a statute, regulation or order confers functions or duties on the proper officer of the council, in the following cases he/she shall be Clerk to the Council :-

- [a] To receive declarations of acceptance of office.
- [b] To receive and record notices disclosing pecuniary interests.
- [c] To receive and retain plans and documents.
- [d] To sign notices and documents on behalf of the Council.
- [e] To receive copies of byelaws made by the County Council.
- [f] To certify copies of byelaws made by the Council.
- [g] To sign summonses to attend meetings of the Council.
- [h] To record and maintain minutes of Council meetings.

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

5 QUORUM

- [a] Three members shall constitute a quorum for full Council meetings.
- [b] If a quorum is not present when the Council meets or, if during any meeting the number of councillors present and not debarred by reason of a declared pecuniary interest falls below the quorum, the business not transacted at that meeting shall be transacted at the next meeting or on such other day that that Chairman may fix.

6 VOTING

- [a] Members shall vote by a show of hands, or if two members so request, by signed ballot.
- [b] If a member so requires, the Clerk shall record the names of the members who voted on any question so as to whether they voted for or against it.

[c] Subject to [i] and [ii] below, the Chairman may give an original vote on any matter put to the vote, and in the case of equality of votes, may give the casting vote even though he gave no original vote.

[i] 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 Chairman and Vice-Chairman until the end of their term of office, he may not give an original vote in election for Chairman.

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

7 ORDER OF BUSINESS

(In an election year Councillors should execute Declaration of Acceptance of Office in each others presence, or in the presence of a proper officer previously authorised by the Council to take such declaration, before the Annual Meeting commences).

[a] At each Annual Meeting, the first business shall be :

- To elect a Chairman.
- 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, shall be received.
- To elect a Vice-Chairman.
- To appoint representatives to any statutory bodies.
- To appoint any committees.
- To receive a Statement of Accounts for the year just ended. (Unaudited)

[b] At every meeting, other than the Annual Meeting, the first business in the absence of the Chairman and Vice-Chairman, shall be to appoint a Chairman and to receive any Declarations of Acceptance of Office (if any).

[c] In every year, not later than the meeting at which the estimates for the next year are settled (normally January), the Council shall review the pay and conditions of its Clerk and Financial Officer.

[d] After the first business has been completed, the order of business, unless the Council decided otherwise on the grounds of urgency, shall be :

- To accept apologies for absence. [Apologies should be notified to the Clerk. Any Councillor failing to attend a meeting for 6 consecutive months without the approval of the Council will automatically lose office].
- To approve the signature, by the person presiding, of the minutes, as a correct record.
- To deal with any matters arising from these minutes.
- To deal with business expressly required by statute to be done.
- To deal with any business remaining from the last meeting.
- To receive details of planning matters referred by the County Council.
- To receive correspondence addressed to the Council.
- To approve accounts for payment and to sign cheques as provided by the Bank Mandate. (Two signatures required).
- To consider resolutions or recommendations in the order in which they have been notified.
- To consider any other business advised in the notice of the meeting.
- Any Other Business brought up that is not advised in the notice of the meeting is only to be used as a means of raising items of information only or for consideration at a future meeting. [It is unlawful to make a decision on a matter that has not been published on the agenda].

[e] A motion to vary the order of business on the grounds of urgency :

- may be proposed by the Chairman or by any member and, if proposed by the Chairman, may be put to the vote without been seconded and
- shall be put to the vote without discussion.

[f] The Clerk shall number and date and record each notice of resolution received.

- [a] Resolutions dealing with the following matters may be moved without notice :
- to appoint a Chairman of the meeting
 - to correct the minutes
 - to approve the minutes
 - to alter the order of business
 - to proceed to the next business
 - to close or adjourn debate
 - to appoint a committee or members thereof
 - to adopt a report
 - to authorise the sealing of documents
 - to amend a motion
 - to give leave to withdraw a resolution or amendment
 - to exclude the public
 - to silence or eject from the meeting a member named for misconduct
 - to invite a member having an interest in the subject matter under debate to remain
 - to give the consent of the Council where such consent is required by these Standing Orders
 - to suspend any Standing Order
 - to adjourn the meeting

9 QUESTIONS

- [a] 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.
- [b] No question not connected with business under discussion shall be asked except during the part of the meeting set aside for questions.
- [c] Every question shall be put and answered without discussion.
- [d] A person to whom a question has been put may decline to answer.

10 RULES OF DEBATE

- [a] No discussion shall take place upon the minutes except upon their accuracy. Corrections to minutes shall be made by resolution and must be initialled by the Chairman.
- [b] A resolution or amendment shall not be discussed unless first proposed.
- [c] A member shall direct his speech to the question under discussion.
- [d] No speech by a mover of a resolution shall exceed **ten** minutes and no other speech shall exceed **five** minutes except by consent of the Council.
- [e] An amendment shall be to leave out/insert/add words.
- [f] An amendment shall not have the effect of negating the resolution before the Council.
- [g] **The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed.**

11 CLOSURE

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 a motion is seconded the Chairman shall put the motion to the Council provided that he is satisfied that the motion has been sufficiently debated.

12 DISORDERLY CONDUCT

- [a] No member shall at a meeting persistently disregard the ruling of the Chairman, willfully obstruct business, or behave irregularly, offensively, 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 [a] above, the Chairman shall express that opinion and thereafter any member may move that the named member

be no longer heard or that the member leave the meeting and the motion if seconded shall be put to members without discussion.

[c] If the motion in [b] above be disobeyed the Chairman may suspend the meeting or take such steps as may reasonably be necessary to enforce them.

13 VOTING ON APPOINTMENTS

Where more than two persons have been nominated for any position to be filled by the Council and of the votes given there is no absolute majority in favour of one person, 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 in favour of one person.

14 EXPENDITURE

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

15 COMMITTEES AND SUB-COMMITTEES

[a] The Council may at its Annual Meeting appoint standing committees and may at any other time appoint such other committees as are necessary.

[b] The Chairman and Vice-Chairman shall be ex officio members of every committee.

16 ACCOUNTS AND FINANCIAL STATEMENT

[a] 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 by the Proper Officer and shall be paid with the approval of the Chairman or Vice-Chairman.

[c] The Financial Officer shall supply to each member at the ordinary meeting next following after the end of the Financial Year, a Statement of Accounts for the year just ended.

17 ESTIMATES

The Council shall consider and approve estimates for the coming year at its meeting in time to meet the requirement to submit a bid for precept. This will usually be December.

18 INTERESTS

The Clerk shall record particulars of any notice given by any member or any officer of the Council of a pecuniary interest in a contract, and the record shall be available at any reasonable time for inspection by any member.

19 INSPECTION OF DOCUMENTS

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

20 UNAUTHORISED ACTIVITIES

No member shall in the name of or on behalf of the Council inspect any land or premises, issue orders, instructions or directions unless authorised in the minutes of the Council to do so.

21 ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

[a] The public shall be admitted to all meetings of the Council unless temporarily excluded by resolution.

[b] The press shall be afforded reasonable facilities for taking their report of proceedings at which they are entitled to be present.

[c] If at any meeting a member of the public interrupts the proceedings, the Chairman may, after warning, order that he be removed from the Council meeting.

22 CONFIDENTIAL BUSINESS

No member of the Council shall disclose any business deemed to be confidential, to any

person not a member of the Council.

23 LIAISON WITH COUNTY COUNCILLORS

A notice of meetings shall be sent to the County Councillor for the Community.

24 PLANNING APPLICATIONS

[a] All planning applications shall be referred to the Council's members.

[b] Where there is a need for urgent response which falls outside normal meeting patterns, the Clerk shall confer with the Chairman or Vice-Chairman.

25 STANDING ORDERS ON CONTRACTS

[a] Tenders shall be opened on the date specified in the tender documentation by the Clerk, Chairman and one other Councillor, unless the date coincides with a normal meeting of the Council in which case tenders will be opened at that meeting.

[b] The Council is not bound to accept the lowest tender.

26 STANDING ORDERS TO BE GIVEN TO MEMBERS

All members shall be given a copy of these Standing Orders at the time of taking the Declaration of Acceptance of Office.

[These Standing Orders were presented at the July meeting, discussed at the September meeting and accepted and adopted by Penally Community Council at its meeting on Wednesday 8th October 2008].

**V J Holmes (Clerk)
8th October 2008.**