

## STANDING ORDERS FOR BARCOMBE PARISH COUNCIL

### 1. Meetings

- a) Meetings of the Council shall be held in each year at the Sports Pavilion, Barcombe Recreation Ground on such dates and times as the Council may direct.
- b) Smoking shall not be permitted at any meeting of the Council or its committees.

### 2. The Statutory Annual Meeting

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

3. In addition to the Statutory Annual Parish Council Meeting at least three other statutory meetings shall be held in each year on such dates and times as the Council may direct.

### 4. Chairman of the Meeting

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

### 5. Proper Officer

Where a statute, regulation or order confers a function or duty on the proper officer of the Council in the following cases, the proper officer shall be the Clerk or other nominated officer:-

- (1) To receive declarations of acceptance of office.
- (2) To receive and record notices disclosing interests at meetings.
- (3) To receive and retain plans and documents.
- (4) To sign notices or other document on behalf of the Council.
- (5) To receive copies of bylaws made by another local authority.
- (6) To certify copies of bylaws made by the Council
- (7) To sign and issue the summons to attend meetings of the Council.

(8) To keep proper records for all meetings of the Council.

6. Quorum of the Council

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

7. If a quorum is not present or if during a meeting the number of councillors present (not counting those debarred by reason of a declared interest) falls below the required quorum, the meeting shall be adjourned and business not transacted shall be transacted at the next meeting or on such other day as the Chairman may fix.

8. For a quorum relating to a committee or sub-committee please refer to Standing Order No. 48.

9. Voting

7. Members shall vote by show of hands or, if at least two members so request, by signed ballot.

10. If a member so requires, the Clerk shall record the names of the members who voted on any question so as to show whether or not they voted for or against it. Such request must be made before moving on to next business.

11. (1) Subject to (2) and (3) below the Chairman may give an original vote on any matter put to the vote, and in any case of an equality of votes may give a casting vote whether or not he gave an original vote.

(2) If the person presiding at the annual general 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.

12. Order of Business

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

a) To elect a Chairman of the Council

b) To receive the Chairman's declaration of acceptance of office or, if not then received, to decide when it shall be received.

c) In the ordinary year of election of the Council, to fill any vacancies left unfilled at the election by reason of insufficient nominations.

- d) To decide when any declarations of acceptance of office which have not been received as provided by law shall be received.
  - e) To elect a Vice Chairman of the Council.
  - f) To appoint representatives to outside bodies.
  - g) To appoint committees and sub-committees.
  - h) To consider the payment of any subscriptions falling to be paid annually; and thereafter follow the order set out in Standing Order Number 15.
  - i) To inspect any deeds and trust investments in the custody of the Council as required.
13. At every meeting other than the Annual Parish Council Meeting the first business shall be to appoint a Chairman if the Chairman and Vice Chairman be absent and to receive such declarations of acceptance of office (if any) and undertaking to observe the Council's code of conduct as are required by law to be made or, if not then received, to decide when they shall be received.
14. In every year, not later than the meeting at which the estimates for the next year are settled, the Council shall review the pay and conditions of service of existing employees. Standing Order No. 38 must be read in conjunction with this requirement.
15. After the first business has been completed, the order of business, unless the Council otherwise decides of the grounds or 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 the 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 the Council.
  - f) To answer questions from Councillors.
  - g) To answer questions from Electors.
  - h) To receive and consider reports and minutes of committees.

i) To receive and consider resolutions or recommendations in the order in which they have been notified.

j) To authorise the signing of documents.

k) If necessary, to authorise the signing or orders for payment.

16. Urgent Business

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

a) May be proposed by the Chairman or by any member.

b) If proposed by the Chairman, the motion may be put to the vote without being seconded; the motion shall be voted upon without discussion.

17. Resolutions Moved on Notice

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 the Council.

18. 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 the Council.

19. The Clerk shall insert in the summons for every meeting all notices of motion or recommendation properly given in the order in which they have been received unless the member giving notice of motion has stated in writing that he intends to move at some time later in the meeting or that he withdraws it.

20. 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.

21. 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 other such committee as the Council may determine; provided that the Chairman, if he considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.

22. Every resolution or recommendation shall be relevant to some subject over which the Council has power or duties, which affects its area.

23. Resolutions Moved without Notice

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 the matter to a committee.
- h) To appoint a committee or any members thereto.
- i) To adopt a report.
- j) To authorise the signing of documents.
- k) To amend a motion.
- l) To give leave to withdraw a resolution or amendment.
- m) To extend the time limit for speeches.
- n) To exclude the press and public (see Order 68)
- o) To silence or eject from the meeting a member named for misconduct (see Order 33)
- p) To give the consent of the Council where such consent is required by these Standing Orders.
- q) To suspend any Standing Order (see Order 81 below).
- r) To adjourn the meeting.

#### 24. Questions

A member may ask the Chairman of the Council or the Clerk any question concerning the business of the Council, provided 7 clear days' notice of the question has been given to the person to whom it is addressed.

25. No question not connected with the business under discussion shall be asked except during the part of the meeting set aside for questions.

26. Every question put shall be answered without discussion.
27. A person to whom a question has been put may decline to answer.
28. Rules of Debate

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

29. 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 declares 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 or order.

d) No speech by a mover of a resolution shall exceed 5 minutes and no other speech shall exceed 3 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 others

iii) To insert or add words.

f) An amendment shall not have the effect of negating the resolution 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 the right of reply, not exceeding 3 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 speak on a point of order or a personal explanation. A member speaking 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 leaves the meeting.
- vii) That the resolution be referred to a committee.
- viii) To exclude the public and press.
- ix) To adjourn the meeting.

30. A member shall remain seated when speaking unless requested by the Chairman stand.

31. 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. If two or more members wish to speak, the Chairman shall decide who to call upon.

c) Whenever the Chairman speaks during a debate all other members shall remain silent.

32. Closure

At the end of any speech a member may, without comment, move “that the question now be 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 ‘that the question now be put’, only if he is of the opinion that the question before the Council has been sufficiently debated. If the motion ‘that the question now be 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.

### 33. Disorderly Conduct

a) All members must observe the Code of Conduct which was adopted by the Council on the 29<sup>TH</sup> May 2007, a copy of which is annexed to these Standing Orders.

b) No member shall at a meeting persistently disregard the ruling of the Chairman, wilfully obstruct business, or behave irregularly, offensively, improperly or in such manner as to bring the Council into disrepute.

c) If, in the opinion of the chairman, a member has broken the provisions of paragraph (b) 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 without discussion. If a member reasonably believes another member is in breach of the code of conduct, that member is under a duty to report the breach to the Standards Board (England).

d) If either motions mentioned in paragraph (c) is disobeyed, the Chairman may adjourn the meeting or take such steps as may be reasonably necessary to enforce them.

### 34. Right of Reply

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.

### 35. Alteration of Resolution

A member may, with the consent of his seconder, move amendments to his own resolution.

### 36. Rescission of Previous Resolution

a) A decision (whether affirmative or negative) of the Council shall not be reversed with 6 months except by special resolution, the written notice whereof shall bear the names of at least 4 members of the Council, or by a resolution moved in pursuance of a report or recommendation of a committee.

b) When a special resolution or any other resolution moved under the provisions of (a) of this Order has been disposed of, no similar resolution may be moved within a further 6 months.

### 37. 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 not an 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.

### 38. Discussions and Resolutions Affecting Employees of the Council

If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service, of any person employed by the Council, it shall not be considered until the Council or committee (as the case may be) has decided whether or not the press and the public shall be excluded (See Standing Order No.68).

### 39. Resolutions on Expenditure

Any resolution (which is moved otherwise than in pursuance of a recommendation of the Finance and General Purposes Committee or of any other committee after the recommendation of the Finance and General Purposes 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 the Council 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 the Council, and any committee affected by it shall consider whether it desires to report thereon; the Finance and General Purposes Committee shall report on the financial aspect of the matters.

### 40. Expenditure

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

### 41. Sealing of Documents

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

(b) Any two members of the Council named in a resolution moved under the provisions of paragraph (a) of this Order, may seal, on behalf of the Council, any document required by law to be issued under seal.

42. Committees and Sub Committees

The Council may at its 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.

b) May appoint persons other than members of the Council to any committee and

c) May subject to the provisions of Standing Order 36 above at any time dissolve or alter the membership of a committee.

43. The Chairman and Vice Chairman of the Council shall be ex-officio voting members of every committee.

44. 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.

45. Special Meeting

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 to the Clerk to the Council of not less than three 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.

46. Sub-Committees

Each committee may appoint sub-committees for purposes to be specified by the committee.

47. 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.

48. 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 third.

49. The Standing Orders of rules of debate (except those parts relating to standing and to speaking more than once) and the Standing Order on interests of members in contracts and other matters shall apply to committee and sub-committee meetings.

50. Advisory Committees

1) The Council may create advisory committees, whose name, and number of members and the bodies to be invited to nominate members shall be specified.

2) The Clerk to the Council shall inform the members of each advisory committee of the terms of reference of the committees.

3) An advisory committee may make recommendations and give notice thereof to the Council.

4) An advisory committee may consists wholly of persons who are not members of the Council.

Voting in Committees

51. Members of committees and sub-committees entitled to vote, shall vote by show of hands, or, if at least two members so request, by signed ballot.

52. Chairman of committees and sub-committees shall in the case of an equality of votes have a second or casting vote.

53. Presence of Non-Members of Committees at Committee Meetings

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

54. Accounts and Financial Statement

1) Except as provided in paragraph (2) below or by statute, all accounts for payment and claims upon the Council shall be laid before the Council.

2) 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(s) shall be authorised by the committee, if any, having charge of the business to which it relates, or by the proper officer with the approval of the Chairman or Vice Chairman of the Council.

3) All payments ratified under sub-paragraph (2) of this Standing Order shall be separately included in the next schedule of payments laid before the Council.

55. The Responsible Finance Officer shall supply to each member as soon as practicable after 31<sup>st</sup> March in each year a statement of the receipts and payments of the Council for the completed financial year. A Financial Statement prepared on the

appropriate accounting basis (receipts and payments or income and expenditure) for a year to the 31<sup>st</sup> March shall be presented to each member before the end of the following month of May. The Statements of Accounts of the Council (which is subject to external audit) shall be presented to the Council for formal approval before the end of the following month of September.

56. Estimates/Precepts

1) The Council shall approve written estimates for the coming financial year at its meeting before the end of November.

2) Any committee desiring to incur expenditure shall give the Clerk to the Council a written estimate of the expenditure recommended for the coming year no later than its November meeting.

57. The Financial Regulations adopted by the Council on 16<sup>th</sup> September 2003 shall remain extant until such time as they may be amended by resolution of the Council (see Standing Order No. 77).

58. Interests of Members

If a member has a personal interest as defined by the Code of Conduct adopted by the Council on the 29<sup>th</sup> May 2007 then he shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of the interest as required.

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

60. The Clerk to the Council may be required to compile and hold a register compile and hold a register of member's interests in accordance with an agreement reached with the Monitoring Officer of the Responsible Authority and/or as required by statute.

61. If a candidate for any appointment under the Council is to his knowledge related to any member of or the holder of any office under the Council, he and the person to whom he 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 disclosures. Where a relationship to a member is disclosed, Standing Orders 58 and 59 shall apply as appropriate.

62. The Clerk to the Council shall make known to every candidate the purport of Standing Order No. 61.

63. Canvassing of an Recommendations by Members

1) Canvassing of members of the Council or of any committee, directly or indirectly, for any appointment by the Council shall disqualify the candidate for such

appointment. The Clerk to the Council shall make known the purport of this paragraph to every candidate.

2) A member of the Council or of any committee shall not solicit for any person any appointment by the Council or recommend any person for such appointment or for promotion; but nevertheless, any such member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.

64. Standing Orders 61 and 63 shall apply to tenders as if the person making the tender were a candidate for an appointment.

65. Inspection of Documents

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.

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

67. Unauthorised Activities

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.

b) Issue orders or instructions unless authorised by the Council or the relevant committee or sub-committee.

68. Admission of the Public and Press to Meetings

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

‘That in view of the [special] [confidential] nature of the business about to be transacted, it is advisable in the public interest that the press and public be temporarily excluded, and they are instructed to withdraw’.

69. The Council shall state the special reason for exclusion.

70. At all meetings of the Council the Chairman may at his discretion and at a convenient time in the transaction of business, adjourn the meeting so as to allow any members of the public to address the meeting in relation to the business to be transacted at the meeting.

71. The Clerk shall afford to the press reasonable facilities for the taking of their report of any proceedings at which they are entitled to be present. There shall be no audio or video recording or photographs of the meeting without the express approval of the Council.

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

73. Confidential Business

1) 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, a committee or sub-committee as the case may be.

2) Any member in breach of the provisions of paragraph (1) of this Standing Order shall be removed by the Council from any committee or sub-committee of the Council.

74. Liaison with County and District Councillors

A summons and agenda for each meeting shall be sent together with an invitation to attend to the County and District Councillors for the appropriate division or ward.

75. Unless the Council otherwise orders, a copy of each letter ordered to be sent to the County or District Council shall be transmitted to the County Councillor for the division and the District Councillor for the ward as the case may require.

76. Planning Applications and Delegated Powers

The Clerk shall arrange for the particulars of all planning applications for the parish of Barcombe to be sent direct to the Chairman of the Council's Planning and Community Services Committee prior to meetings of the committee for which the Clerk will prepare an agenda. The Clerk will not necessarily be present at meetings of the Planning Sub-Committee but will prepare the minutes thereof from information provided by the committee Chairman. The Planning and Community Services Committee/Planning Sub-Committee is granted delegated powers to submit observations to the Lewes District Council or any other Planning Authority as being the formal view of the Council on all considered applications.

77. Financial Matters

Financial Regulations were adopted by the Council on the 10th January 2024 and are annexed to these Standing Orders and shall be subject to regular review, at least once every four years.

78. Procedure for the supply of goods, materials and services in excess of £50,000

See Financial Regulations adopted January 2024

79. Neither the Council, nor any committee is bound to accept the lowest tender, estimate or quote. Any tender notice shall contain a reference to the Standing Orders numbered 61, 63 and 64 regarding improper activity.

[Note: European Union Public Sector Procurement Rules will apply to contracts having a value in excess of £140,000- specialist advice shall be sought at this level].

80. Code of Conduct on Complaints

The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or member in accordance with the Code of Practice adopted by the Council on the 13<sup>th</sup> July 2017 and which is annexed to these Standing Orders, except for any complaint which should be properly directed to the Standards Board for England for consideration.

81. Variation, Revocation and Suspension of Standing Orders

Any or every part of the Standing Orders except those printed in bold type (they are mandatory) may be suspended by resolution in relation to any specific item of business.

82. A resolution to 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.

83. Standing Orders to be given to Members

A copy of these Standing Orders shall be given to each member by the Clerk upon delivery to him of the member's Declaration of Acceptance of Office and written undertaking to observe the Code of Conduct adopted by the Council.

84. Other Relevant Documents

In addition to the documents referred to in Standing Order No.77, the Clerk will ensure that all members have copies of the following:

- 1) Financial Regulations
- 2) Code of Practice (complaints)
- 3) Computer Policy

The Policy Statements of:

- 4) The Planning Committee.

Adopted 13<sup>th</sup> March 2024