

*Lindfield Parish Council*

**Standing Orders  
and  
Financial Regulations**

**Adopted by Lindfield Parish Council  
at the Council meeting held on  
23 October 2008**

## Part I: Standing Orders for Lindfield Parish Council

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## PART 1 - STANDING ORDERS

These Standing Orders are based on a complete model set of Standing Orders produced by NALC (the National Association of Local Councils) in June 2003 incorporating various new requirements, such as those to be observed under the new Code of Conduct.

Some of the Standing Orders are compulsory as they are laid down in Acts of Parliament. These are printed in **bold type**. These Standing Orders cannot be altered.

It is, of course, recognised that local councillors can be male or female. Therefore, wherever the masculine gender is used in this publication, this should be interpreted as also meaning the feminine gender, where appropriate.

## **1. Meetings of the Parish Council**

- a) Meetings of the Council shall be held in each year on such dates and times and at such place as the Council may direct.
- b) Smoking is not permitted at any meeting of the Council.
- c) Meetings of the Council shall be held at a public hall in the village of Lindfield.

## **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 elected 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. Other Council Meetings.**

**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 and at such place as the Council may direct.**

## **4. Extraordinary Meetings**

An extraordinary meeting of the Parish Council may be called at any time by the Chairman of Council. If the Chairman refuses to call an extraordinary meeting of the Council after a requisition for that purpose, signed by two members of the Council, has been presented to him, or if, without so refusing, the Chairman does not call an extraordinary meeting within seven days after such a requisition has been presented to him, any two members of the Council, on that refusal or on the expiration of those seven days, as the case may be, may forthwith convene an extraordinary meeting of the Council

## **5. 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.** [Appendix C contains a guide for those presiding at meetings of the Parish Council.]

At a meeting of the Council, the Chairman, if present, shall preside. If the Chairman is not present the Vice Chairman, if present, will preside. If neither are present then the Council shall appoint a Member to preside at the meeting.

In the event of the Chairman or Vice Chairman, as the case may be, arriving after the commencement of the meeting, the Vice Chairman or other Chairman

appointed pro tem shall vacate the chair and the Chairman or Vice Chairman, as the case may be, shall thereupon preside.

## **6. Notice of Meeting**

- a) At least seven clear days notice before a meeting of the Council a notice stating the date, time and place of the meeting shall be displayed on the Parish notice board and a public announcement shall be made in the local press.
- b) At least seven clear days before a meeting of the Parish Council, a summons to attend the meeting, specifying the business proposed to be transacted at the meeting and signed by the Proper Officer of the Council shall be left at or sent by post to the usual place of residence of every member of the Council and a copy of the summons shall be given to the County Councillor for Lindfield and the District Councillors for the Lindfield Urban Ward of the Mid Sussex District Council
- c) Where the meeting is called by members of the Council, the notice shall be signed by those members and shall specify the business to be transacted at the meeting. In the case of extraordinary meetings called to transact urgent business, a minimum of three clear days notice shall be given.

## **7. Proper Officer**

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

- a) To receive declarations of acceptance of office.
- b) To receive and record notices disclosing personal or prejudicial interests at meetings.
- c) To receive and retain plans and documents.
- d) To sign notices or other documents on behalf of the Council.
- e) To receive copies of bylaws made by another local authority.
- f) To certify copies of bylaws made by the Council.
- g) To sign and issue the summons to attend meetings of the Council
- h) To keep proper records for all Council meetings
- i) The Parish Clerk or, in the absence of the Parish Clerk, the Deputy Parish Clerk, in consultation with the Chairman and Vice Chairman of a

Committee, or, in the absence of one of them additionally with another Member of the Committee, may take action deemed desirable on any matter in respect of which the Committee concerned has delegated powers but which requires urgent attention.

## **8. Quorum of the Council**

- a) **Three members or one-third of the total membership, whichever is the greater, shall constitute a quorum at meetings of the Council.**
- b) If, at the expiration of fifteen minutes after the time at which any meeting of the Council is appointed to be held, the Parish Clerk after counting the number of Members present, announces that a quorum is not present then no meeting shall take place.
- c) 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.
- d) For a quorum relating to a committee or sub-committee, please refer to Standing Order 25 (i).

## **9. Voting**

- a) Members shall vote by show of hands or, if at least 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 show whether they voted for or against it. Such a request must be made before moving on to the next business.**
- c) **Subject to (d) and (e) 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.**
- d) **If the person presiding at the annual meeting would have ceased to be a member of the council but for the statutory provisions which preserve the membership of the Chairman and Vice-Chairman until the end of their term of office he may not give an original vote in an election for Chairman.**
- e) **The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.**

## **10. Order of Business**

- a) **At each Annual Parish Council Meeting the first business shall be:-**
- i. **To elect a Chairman of the Council**
  - ii. **To receive the Chairman's declaration of acceptance of office or, if not then received, to decide when it shall be received.**
  - iii. **In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.**
  - iv. **To decide when any declarations of acceptance of office which have not been received as provided by law shall be received.**
  - v. To elect a Vice-Chairman of the Council.
  - vi. To receive the Vice-Chairman's declaration of acceptance of office or, if not then received, to decide when it shall be received.
  - vii. To appoint committees and sub-committees.
  - viii. To appoint representatives to outside bodies
  - ix. To consider the payment of any subscriptions falling to be paid annually.
  - x. To inspect any deeds and trust instruments in the custody of the Council.

and shall thereafter follow the order for other meetings set out in Standing Order 10 d.

- b) **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**
- c) In every year the Council shall review the pay and conditions of service of existing employees. Standing Order 21 must be read in conjunction with this requirement
- d) After the first business has been completed, the order of business, unless the Council otherwise decides on the ground of urgency, shall be as follows:

- i. to receive apologies for absence from members and to accept the reasons given.
- ii. To receive Declarations of Interest from Members in respect of any item on the Agenda.
- iii. Public participation session with respect to items on the agenda (with the Council hearing first from Councillors with prejudicial interests who must leave the room immediately after they have made their representations, answered questions or given evidence.
- iv. To read and consider the Minutes of the previous meeting; 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.
- v. **After consideration, to approve the signature of the Minutes by the person presiding as a correct record.**
- vi. **To deal with business expressly required by statute to be done.**
- vii. To dispose of business, if any, remaining from the last meeting.
- viii. To receive reports from County and District Councillors
- ix. To receive such communications as the person presiding may wish to lay before the Council.
- x. To answer questions from Councillors.
- xi. To receive and consider reports and minutes of committees.
- xii. To receive and consider reports from officers of the Council.
- xiii. To receive and consider resolutions or recommendations in the order in which they have been notified.
- xiv. To authorise the sealing of documents.
- xv. If necessary, to authorise the signing of orders for payment.
- xvi. To consider any other business specified in the summons to the meeting.

## **11. Urgent Business**

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

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

## **12. Resolutions Moved on Notice**

- a) 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 10 clear days before the next meeting of the Council.
- b) The Clerk shall date every notice of resolution or recommendation when received, 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.
- c) 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 a notice of motion has stated in writing that he intends to move at some later meeting or that he withdraws it.
- d) 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.
- e) If the subject matter of a resolution comes within the province of a committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to such committee or to such other committee as the Council may determine for report; provided that the Chairman, if he or she considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.
- f) Every resolution or recommendation shall be relevant to some subject over which the Council has power or duties, which affects its area.
- g) A member may, with the consent of his seconder, move amendments to his own resolution.

### **13. Resolutions and Amendments which may be 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 agree that the question be now put.
- h) To refer a matter to a committee.
- i) To appoint a committee or any members thereof.
- j) To adopt a report or recommendation from a Committee.
- k) To authorise the sealing of documents.
- l) To amend a motion.
- m) To give leave to withdraw a resolution or amendment.
- n) To extend the time limit for speeches.
- o) To exclude the press and public. (see Standing Order 35 below)
- p) To silence or eject from the meeting a member named for misconduct. (see Standing Order 18 below)
- q) To give the consent of the Council where such consent is required by these Standing Orders.
- r) To suspend any Standing Order. (see Order 41 below)
- s) To adjourn the meeting.

### **14. Questions**

- a) A member may ask the Chairman of the Council or the Clerk any question concerning the business of the Council, provided 5 clear working days notice of the question has been given to the person to whom it is addressed, unless such notice is waived by that person.
- b) No questions 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, though at the discretion of the Chairman, a supplementary question may be asked.
- d) A person to whom a question or supplementary question has been put may decline to answer.
- e) Where the reply to any question cannot conveniently be given orally, it shall be deemed a sufficient reply if the answer is circulated to Members of the Council within 10 days of the meeting.

## 15. Rules of Debate

- a) 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.
- b) 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 put in writing and handed to him before it is discussed further or put to the meeting.
- c) 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.
- d) A Member shall indicate his wish to speak by raising his hand and shall address the Chairman. The Chairman shall indicate who shall speak.
- e) A member shall direct his speech to the question under discussion or to a personal explanation or to a question of order.
- f) No speech by a mover of a resolution shall exceed 5 minutes and no other speech shall exceed 3 minutes except as determined by the Council (as determined under Standing Order 15.o.ix below) or at the discretion of the Chairman.
- g) An amendment shall be either:-
  - i) To leave out words.
  - ii) To leave out words and insert others
  - iii) To insert or add words.
- h) An amendment shall not have the effect of negating the resolution before the Council or of introducing a new proposal.
- i) If an amendment is 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.
- j) A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
- k) The mover of a resolution or of an amendment shall have a right of reply, not exceeding 3 minutes.
- l) 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.

- m) 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.
- n) A motion or amendment may be withdrawn by the proposer with the consent of the seconder and 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.
- o) 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 leave the meeting.
  - vii. That the resolution be referred to a committee.
  - viii. That the Standing Orders be suspended.
  - ix. That the time limit for speeches be extended (Standing Order 15f above)
  - x. To exclude the public and press.
  - xi. To adjourn the meeting
- p) 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.
- q) A member shall remain seated when speaking unless requested to stand by the Chairman.
- r) The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed.
- s) Members shall address the Chairman. If two or more members wish to speak, the Chairman shall decide who to call upon.
- t) Whenever the Chairman speaks during a debate all other members shall be silent.

## **16. 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 motion is seconded, the Chairman shall put the motion but, in the case of a motion “that the question be now put”, only if he is of the opinion that the question before the Council has been sufficiently debated. If the motion “that the question be now put” is carried, he shall call upon the mover to exercise or waive his right of reply and shall put the question immediately after that right has been exercised or waived. The adjournment of a debate or of the Council shall not prejudice the mover’s right of reply at the resumption.

## **17. Consideration of Minutes, Reports and Recommendations of Committees**

Minutes of Committees shall be presented to Council at the next appropriate meeting by the Member who presided as Chairman of the Committee, or, failing him, some other Member who was present. The Chairman or other Member may bring to the attention of the Council any reports or recommendations for which the specific approval of Council is required and move that the Council should approve such reports or recommendations. The Chairman or other Member shall then move that the Minutes be received and the recommendations accepted. Once the minutes have been formally received, all other recommendations shall be deemed to have the approval of Council.

## **18. Code of Conduct/Disorderly Conduct**

- a) **All members must observe the Code of Conduct which was adopted by the Council on 8 May 2007 - Minute number 11.2). A copy of the Code of Conduct is appended 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 a 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 and without discussion.
- d) If either of the motions mentioned in paragraph ( c ) is disobeyed, the Chairman may adjourn the meeting or take such further steps as may reasonably be necessary to enforce them.

## **19. Rescission of Previous Resolution**

- a) A decision (whether affirmative or negative) of the Council shall not be reversed within six months except either by a special resolution, the

written notice whereof bears the names of at least 3 members of the Council, or by a resolution moved in pursuance of the report or recommendation of a committee.

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

## **20. 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.

## **21. 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 public shall be excluded. (See Standing Order No. 35.)

## **22. Resolutions on Expenditure**

Any resolution (which is moved otherwise than in pursuance of a recommendation of the Finance & General Purposes Committee or of another committee after recommendation by the Finance & 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 (and the Finance & General Purposes Committee shall report on the financial aspect of the matters).

## **23. Expenditure**

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

## **24. Sealing of Documents**

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

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.

## **25. Committees & Sub Committees**

The Council may at its Annual Meeting appoint standing committees and may at any other time appoint such other 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 as non-voting members except in accordance with the provisions of the Local Government and Housing Act 1989 and Parish and Community Councils (Committees) Regulations 1990; and
- c) may subject to the provisions of Standing Order 19 above at any time dissolve or alter the membership of committee.
- d) The Chairman and Vice-Chairman of the Council shall, ex-officio, be voting members of every committee.
- e) Every committee shall at its first meeting before proceeding to any other business, elect a Chairman and may elect a Vice-Chairman who shall hold office until the next Annual Meeting of the Council and shall settle its programme of meetings for the year.
- f) The Chairman of a committee or the Chairman of the Council may summon an additional meeting of that committee at any time. An additional meeting shall also be summoned on the requisition in writing of not less than a quarter of the members of the committee. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.
- g) Every committee may appoint sub-committees for purposes to be specified by the committee.
- h) 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.
- i) 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 of its members.

- j) The Standing Orders on 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.
- k) A Committee or Sub-Committee shall have discretion to co-opt any person not being a Member of the Council who, in their opinion, is able to offer special advice on any matter before the Committee or Sub-Committee, either for a particular meeting or generally, but such co-options shall, for any meeting, not exceed three in number, subject to at least two thirds of any Committee being Members of Council. Any person so co-opted to a Committee or Sub-Committee shall be entitled to receive notice of any meeting of the Committee or Sub-Committee he is entitled to attend. Any such person may participate in the meeting as permitted by the Chairman, but is not entitled to vote thereat unless such Committee or Sub-Committee has been formally resolved as being within the terms of the Local Government and Housing Act 1989 Section 13 4 (g)

## **26. Advisory Committees**

- a) The Council may create advisory committees, whose name, and number of members and the bodies to be invited to nominate members shall be specified.
- b) The Clerk shall inform the members of each advisory committee of the terms of reference of the committee.
- c) An advisory committee may make recommendations and give notice thereof to the Council
- d) An advisory committee may consist mainly of persons who are not members of the Council but there should be at least one Council member on an advisory committee.

## **27. Voting in Committees**

- a) 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.
- b) **Chairmen of committees and sub-committees shall in the case of an equality of votes have a second or casting vote.**
- c) If a member so requires, the Clerk shall record the names of the members who voted on any question so as to show whether they voted for or against it. Such a request must be made before moving on to the next business.

## **28. 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.

## **29. Accounts and Financial Statement**

- a) Except as provided in paragraph (b) of this Standing Order or by statute, all accounts for payment and claims upon the Council shall be laid before the Council.
- b) Where it is necessary to make a payment before it has been authorised by the Council, such payment shall be certified as to its correctness and urgency by the appropriate officer. Such payment shall be authorised by the committee, if any, having charge of the business to which it relates, or by the proper officer for payment with the approval of the Chairman or Vice-Chairman of the Council or of the appropriate committee if the item of expenditure is covered by that committee's budget.
- c) All payments ratified under sub-paragraph (b) of this Standing Order shall be separately included in the next schedule of payments before the Council.
- d) The Responsible Financial Officer shall supply to each member as soon as practicable after 31 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 31 March shall be presented to each member before the end of the following month of May. The Statement of Accounts of the Council (which is subject to external audit) shall be presented to Council for formal approval before the end of the following month of September.

## **30. Estimates / Precepts**

- a) The council shall approve written estimates for the coming financial year at its meeting before the end of the month of January and shall submit a precept to the billing authority to pay a named sum to the Council by the required date.
- b) Any committee desiring to incur expenditure shall give the Clerk a written estimate of the expenditure recommended for the coming year no later than December 31.

### 31. Interests

- a) **If a member has a personal interest as defined by the Code of Conduct adopted by the Council on 8 May 2007 then he shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required.**
  
- b) **Subject to paragraph 12 (2) of the Local Authorities (Model Code of Conduct) Order 2007 (SI 2007/1159), (Standing Order 35 (e) below), if a member who has declared a personal interest then considers the interest to be prejudicial, he must withdraw from the room or chamber where the meeting considering the business is being held**
  - i) in a case where Standing Order 35 (e) applies, immediately after making representations, answering questions or giving evidence, (during the public participation session Councillors with prejudicial interests are to be heard first and they must not then remain in the room to hear the representations of others;
  - ii) in any other case, whenever it becomes apparent that the business is being considered at that meeting, whether or not he made representations etc. in respect of that business within the public participation session;

unless that member has obtained a dispensation from the District Council's Standards Committee.

A member who has a prejudicial interest in any business of the Council must not seek improperly to influence a decision about that business.

- c) **The Clerk may be required to compile and hold a register of member's interests in accordance with agreement reached with the Monitoring Officer of the Responsible Authority and/or as required by statute.**
  
- d) 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 so to do shall be disqualified for such appointment, and, if appointed, may be dismissed without notice. The Clerk shall report to the Council or to the appropriate committee any such disclosure. Where a relationship to a member is disclosed, Standing Orders 31a & b shall apply as appropriate.
  
- e) The Clerk shall make known the purpose of Standing Order 31d to every candidate.

### **32. Canvassing of and Recommendations By Members**

- a) Canvassing of members of the Council or of any committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make known the purport of this sub-paragraph of this Standing Order to every candidate.
- b) A member of the Council or of any committee shall not solicit for any person any appointment under 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.
- c) Standing Order Nos. 31(d) and 32(a) & (b) shall apply to tenders as if the person making the tender were a candidate for an appointment.

### **33. Inspection of Documents**

- a) A member may for the purpose of his duty but not otherwise except as provided for under the Freedom of Information Act, 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.
- b) **All minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council.**

### **34. 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; or
- b) Issue orders, instructions or directions.

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

### **35. Admission of The Public and Press to Meetings**

- a) **The public and press shall be admitted to all meetings of the Council and its committees and sub-committees, which may, however, temporarily exclude the public and press 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”

- b) The Council shall state the special reason for exclusion.
- c) A period of up to 15 minutes shall be allowed at the start of each meeting of the council and a further period of up to 15 minutes at the end of the meeting for members of the public to ask questions or make comments.
- d) At all meetings of the Council, the Chairman may, at his/her discretion, and at a convenient time in the transaction of business, allow any members of the public to address the meeting in relation to the business to be transacted. Such sessions form part of the Council meeting in law and shall be duly minuted. The Code of Conduct which was adopted by the Council on 8 May 2007 shall apply to members of the Council in respect of the entire meeting. Where, however, members of the Council exercise their rights pursuant to SO 35 (e) below, members of the public **shall** be allowed to attend the meeting to (a) make representations, (b) answer questions or (c) give evidence relating to the business to be transacted.
- e) At all meetings of the Council, the Chairman may permit members of the Council (including co-opted members as defined by s.49 (7) of the Local Government Act 2000) who have a prejudicial interest in relation to any item of business to be transacted at that meeting (a) to make representations, (b) answer questions or (c) give evidence relating to the business to be transacted. Such sessions form part of the Council meeting in law and shall be duly minuted. The Code of Conduct which was adopted by the Council on 8 May 2007 shall apply to members of the Council in respect of the entire meeting.
- f) 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.
- g) If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that he be removed from the meeting and may adjourn the meeting for such period as is necessary to restore order.

### **36. Confidential Business**

- a) No member of the Council or of any committee or sub-committee shall disclose to any person not a member of the Council any business declared to be confidential by the Council, the committee or the sub-committee as the case may be.

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

### **37. Liaison with County and District Councillors**

- a) 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.
- b) 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 or to the District Councillor for the ward as the case may require.

### **38. Planning Applications**

- a) The Clerk shall, as soon as it is received, enter in a book kept for the purpose the following particulars of every planning application notified to the Council:
  - (i) the date on which it was received
  - (ii) the name of the applicant
  - (iii) the place to which it relates
- b) The Clerk shall refer every planning application received to the Chairman / Chairman of the Planning Committee or in the Chairman's absence to the Vice-Chairman within 48 hours of receipt.

### **39. Financial Matters**

- a) The Council shall consider and approve Financial Regulations drawn up by the Responsible Financial Officer.
- b) Such Regulations shall include detailed arrangements for the following:
  - (i) the accounting records and systems of internal control;
  - (ii) the assessment and management of 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 financial reporting requirements of members and local electors and
  - (v) procurement policies (subject to (c) below) including the setting of values for different procedures where the contract has an estimated value less than £75,000.
- c) Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of [£75,000] shall be procured on the basis of a formal tender as summarised in (d) below.

- d) 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 Clerk by a stated date and time;
  - (iv) tenders submitted are to be opened, after the stated closing date and time, by the Clerk and at least one member of Council;
  - (v) tenders are then to be assessed and reported to the appropriate meeting of Council or Committee.
  
- e) The Council, nor any Committee, is not bound to accept the lowest tender, estimate or quote. Any tender notice shall contain a reference to the Standing Orders 31(d) & 32, regarding improper activity.
  
- f) The Financial Regulations of the Council shall be subject to regular review, at least once every four years.

[Council is reminded that the European Union Public Sector Procurement Rules are likely to apply to contracts with a value in excess of £140,000 and advice should be sought at this level.]

**[Note: Some Standing Order must be made for contracts for the supply of goods or the execution of works]**

#### **40. 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 such manner as adopted by the Council except for those complaints which should be properly directed to the Standards Board for England for consideration.

#### **41. Variation, Revocation and Suspension of Standing Orders**

- a) Any or every part of the Standing Orders except those printed in **bold type** may be suspended by resolution in relation to any specific item of business.
  
- b) A resolution permanently to add, vary or revoke a Standing Order shall when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

#### **42. 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.

**List of Committees**

**Finance and General Purposes Committee**

**Environment and Amenities Committee**

**Planning and Traffic Committee**

**Complaints Committee**

**TERMS OF REFERENCE OF COMMITTEES UNDER STANDING ORDER 25**

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**PLANNING AND TRAFFIC COMMITTEE**

1. Membership and frequency of meetings

A minimum of six places will be available for Members of the Council who will meet in Committee, at such intervals as may be required to meet District Council deadlines, to consider the Council's responses to Planning Applications and other matters referred to the Council by the local planning authority. At every third meeting there will be a full agenda to allow the Committee to consider other planning and traffic issues and members of the public to ask questions and make comments about matters within the terms of reference of the Committee.

2. Terms of Reference

- i) To examine and make recommendations to the Council on all major planning applications; and on national and regional planning policy and the Local Development Framework. In cases where a response is required before the next ordinary meeting of the Council and the Chairman of the Council agrees that an extraordinary meeting of the Council is not necessary, the Committee shall deal with the matter.
- ii) To examine and deal with on behalf of the Council, all other planning applications/tree preservation order matters. The Committee shall agree a procedure for dealing with urgent planning applications which are not major but are required to be dealt with before the next meeting of the Committee.
- iii) To examine and make recommendations to the Council on all traffic issues, and new highway facilities, which affect the Parish, (and which are the responsibility of West Sussex County Council) with the exception of highways maintenance matters which fall within the Terms of Reference of the Environment and Amenities Committee. Any urgent and non controversial traffic related matters which need to be dealt with on behalf of the Council before the next meeting of the Committee, may be dealt with, on behalf of the Council, by the Clerk or other appropriate Officer of the Council, in consultation with any two Members, one of whom must be the Chairman or Vice Chairman of the Committee (or in the absence of both of them, the Chairman or Vice Chairman of the Council).
- iv) To make recommendations to the Council on the detailed Planning and Traffic Committee budget and to manage the Committee's activities within the detailed budget approved by the Council, whilst recognising that "provisions" for specific items will still require approval by the Council.

**TERMS OF REFERENCE OF COMMITTEES UNDER STANDING ORDER 25**

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**ENVIRONMENT AND AMENITIES COMMITTEE**

1. Membership and frequency of meetings

A minimum of six places will be available for Members of the Council who will meet in Committee at least every two months.

2. Terms of Reference

- i) To examine and recommend to the Council any changes to the amenities of the Parish. Any urgent and non controversial changes to the amenities of the Parish, which need to be dealt with before the next meeting of the Committee, may be dealt with, on behalf of the Council by the Clerk, or other appropriate officer, in consultation with any two Members, one of whom must be the Chairman or Vice Chairman of the Committee (or in the absence of both of them, the Chairman or Vice Chairman of the Council).
- ii) To consider and to deal with, on behalf of the Council, all maintenance matters related to the amenities of the Parish. Urgent business which needs to be attended to before the next meeting of the Committee may be dealt with by the Clerk, or other appropriate officer, in consultation with any two Members, one of whom must be the Chairman or Vice Chairman of the Committee (or in the absence of both of them, the Chairman or Vice Chairman of the Council).
- iii) To make recommendations to the Council on the detailed Environment and Amenities Committee budget and to manage the activities of the Committee within the budget approved by the Council, whilst recognising that "provisions" for specific items will still require approval by the Council.

**TERMS OF REFERENCE OF COMMITTEES UNDER STANDING ORDER 25**

**FINANCE AND GENERAL PURPOSES COMMITTEE**

1. Membership and frequency of meetings

A minimum of six places will be available for Members of the Council who will meet in Committee at least every two months.

2. Terms of Reference

- i) To co-ordinate, in consultation with the Chairman of the Committees of the Council, the Chairman of the Council, the Parish Clerk and the RFO, the detailed budget of the Council and to recommend to the Council the annual budget and the annual precept to be levied for the Parish.
- ii) To ensure that the Council receives reports at each of its meetings on the progress of actual expenditure compared with budget.
- iii) To prepare the accounts of the Council and arrange for their annual external audit.
- iv) To be responsible for overseeing the administration and review of day to day financial matters including internal audit of the Council's income and expenditure.
- v) To conduct an annual review of the effectiveness of Internal Audit.
- vi) To arrange for annual review of the Council's insurance policies and to oversee the procedure for risk assessment of all the Council's activities.
- vii) To advise the Council on all aspects of finance and financial policy, including the investment of both operating and capital balances and any transfers into and out of the capital fund.
- viii) To approve, on behalf of the Council, the transfer of funds from and to particular budget items where the Chairman of the Committee is satisfied that the transfer of funds must take place before the next meeting of the Council. Such urgent transfers of funds must be agreed by the Chairman or Vice Chairman of the Committee affected by the transfer and by the Chairman or Vice Chairman of Council.

**TERMS OF REFERENCE OF COMMITTEES UNDER STANDING ORDER 25**

**FINANCE AND GENERAL PURPOSES COMMITTEE (CONT'D)**

- ix) To draw up and periodically review a procedure for the making of grants and donations and to consider and make decisions on such requests made to the Council, in accordance with that policy.
- ix) To deal on behalf of the Council and as instructed by it, with any matters of policy which do not fall clearly within the responsibilities of the other Committees or where there is any conflict between them
- x) To ensure that appropriate records are kept of all assets and that they are adequately controlled.
- xi) To oversee the running of the Parish Office and employment issues.
- xii) The Committee may delegate any of its functions to Sub-Committees constructed from its members.

**TERMS OF REFERENCE OF COMMITTEES UNDER STANDING ORDER 25**

**COMPLAINTS COMMITTEE**

1. Membership and Frequency of Meetings

Four places will be available for Members of the Council who will meet in Committee annually, following the Annual Meeting of Council, to elect a Chairman and Vice Chairman and otherwise as required to deal with formal complaints made against the Council.

2. Terms of Reference

- i) To agree a procedure for the handling of complaints made against the Council regarding matters over which the Council does or could exercise a power, duty or control.
- ii) To deal with formal complaints made against the Council in accordance with the agreed procedure referred to in paragraph 2 (i) above.