

MYDDLE, BROUGHTON & HARMER HILL PARISH COUNCIL

STANDING ORDERS

1. MEETINGS

a. Meetings of the Council:

- i. Will normally be held at 7.30pm on the first Wednesday of January, March, May, September and November and the last Wednesday in June, to take account of audit regulations.
- ii. Meetings will normally be held in either Myddle or Harmer Hill Village Hall.
- iii. In exceptional circumstances the meeting will be held online using Zoom, with the access code being forwarded to Members and any members of the public wishing to access the meeting.

b. The Statutory Annual General Meeting of the Council:

- i. In an election year shall be held on the first Wednesday following the fourth day after the election.
- ii. In a year when there is no election on the first Wednesday in May.

c. General:

- i. Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol.
- ii. The minimum three clear days for notice of a meeting does not include the day on which the notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, the Easter break or a bank holiday.
- iii. Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons.
- iv. Members of the public may make representations, answer questions and give evidence at a meeting they are entitled to attend prior to the start of the official meeting.
- v. The period designated for public participation shall not exceed fifteen minutes unless directed by the chair of the meeting.
- vi. Questions asked shall not require a response at the meeting nor start a debate on the question. The Chair of the meeting may direct that an oral or written response be given.
- vii. A person who speaks at a meeting shall direct their comments to the Chair of the meeting.
- viii. A person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To report means to film. Photograph, make an audio recording of meeting proceedings.
- ix. A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.
- x. The press shall be provided with reasonable facilities for the taking of their report for all or part of the meeting at which they are entitled to attend.
- xi. If a member of the public disrupts a meeting, the Chairman after giving a warning may ask the person to withdraw.
- xii. If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be closed.
- xiii. A meeting shall not exceed a period of two hours.

2. CHAIR OF THE MEETING

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

3. PROPER OFFICER

The Proper Officer shall be either the clerk or other staff member nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent. Where a statute, regulation or order confers functions or duties on the proper officer of the Council, in the following cases this shall be the Clerk.

4. DUTIES OF THE PROPER OFFICER

- a. To receive and hold declarations of office.
- b. To receive and record notices disclosing pecuniary interests.
- c. To receive and retain plans and documents.
- d. To refer planning applications received by the Council to the Chairman or the Vice Chairman and if necessary to all Members of the Council. The Chairman will decide if it is necessary to convene an extraordinary meeting to discuss the application.
- e. To sign notices or other documents on behalf of the Council.
- f. To sign summonses to attend meetings of the Council and forward these to Members at least three clear days before the meeting.
- g. To send an invitation to attend a meeting, together with the Agenda to the ward councillor of Shropshire Council.
- h. To provide in a suitable place a signed notice giving details of the time and location of planned meetings together with a copy of the Agenda at least three days before the meeting. Details will also be published on the Council's web site.
- i. To receive copies of bylaws made by Shropshire Council.
- j. To receive and forward copies of relevant correspondence received.
- k. To send a copy of any correspondence sent to Shropshire Council to the Councillor representing the ward.
- l. To arrange and manage the prompt payment of authorised accounts.
- m. To manage access to information about the Council via the publication scheme.
- n. To respond to after consultation with the Chairman to Freedom of Information requests.
- o. To have in place policies for the retention and safe destruction of all information it holds.

5. QUORUM

- a. Three Members shall constitute a quorum
- b. If a quorum is not present when the Council meets or if, during the meeting, the number of Councillors present and not debarred by reason of declaring a pecuniary interest, falls below the quorum, the business not transacted at that meeting shall be transferred to the next meeting or on such other day as the Chair may determine.

6. DISPENSATIONS AND VOTING

- a. All Councillors with voting rights shall observe the code of conduct adopted by the Council
- b. Unless they have been granted dispensation, a Councillor with voting rights shall withdraw from a meeting when it is considering a matter in which she/he a disclosable pecuniary interest. They may return to the meeting after the Council has considered the matter.
- c. Dispensations can be requested and shall be made to the Proper Officer as soon as possible or at the start of the meeting.

- d. A decision as to whether to grant a dispensation shall be made by the Proper Officer or the Council and that decision is final.
- e. Before an original or substantive motion is put to the vote, the Chair of the meeting must be satisfied that the motion has been sufficiently debated.
- f. Members shall vote by show of hands or, if at least two Members so request, by signed ballot.
- g. Members proposing or seconding a motion shall not be named unless a member so requires.
- h. If a Member so requires, the Clerk shall record the names of those who voted on any question, as to show whether they voted for or against it.
- i. The Chair may give an original vote on any matter put to the vote and in the case of an equal vote may give a casting vote, even though (s) he gave no original vote.
- j. The person presiding at the election of a Chair must give a casting vote whenever there is an equality of votes.

7. VOTING ON APPOINTMENTS

When more than two persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least votes shall be removed from the list and a fresh vote taken. A tie in votes may be settled by the casting vote of the Chair of the meeting.

8. ORDER OF BUSINESS

- a. In an election year Councillors shall execute Declarations of Acceptance of Office, in the presence of the Clerk, before the annual meeting begins.
- b. At each Annual Meeting the first business shall be:
 - i. To elect a Chair.
 - ii. To receive the Chair's declaration of office.
 - iii. To elect a Vice-Chair
 - iv. To receive the Vice Chair's declaration of office.
 - v. To appoint representatives and committee members.
 - vi. In the year of an election, to make arrangements to attempt to fill any vacancies left unfilled at the election by co-option
- c. At every meeting, other than the Annual General Meeting, the order of business shall be:
 - i. To appoint a Chair if the Chair and Vice Chair are absent.
 - ii. To receive apologies for absence.
 - iii. To receive declarations of personal or prejudicial interests.
 - iv. To read and consider the minutes from the previous meeting. Providing the minutes have been circulated prior to the meeting, they may be taken as read.
 - v. After consideration, the minutes must be signed by the Chair of the meeting, declaring them to be a true copy.
 - vi. To consider matters arising from the minutes.
 - vii. To receive details of any correspondence received by the Clerk in the period since the last meeting.
 - viii. To approve accounts for payment.
 - ix. To receive and consider and approve a financial statement.
 - x. To receive and consider the cumulative accounts
 - xi. To receive and consider planning applications.
 - xii. To receive and consider issues relating to the Community Led Plan.
 - xiii. To receive reports from the Police and the Shropshire Councillor.

- xiv. To receive and consider reports from committees and representatives.
 - xv. To consider any issues in the Parish that need urgent attention, including items for the next agenda and press releases.
 - xvi. To confirm date and time of next meeting.
- d. A motion to vary the order of business on the grounds of urgency may be proposed by the Chair and put to the vote without discussion.

9. RESOLUTIONS MOVED ON NOTICE

- a. Except as provided in 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 such notice to the Clerk at least ten days before the date of the planned meeting.
- b. Every resolution or recommendation shall be relevant to some subject over which the Council has power or affects the area.

10. MOTIONS FOR A MEETING THAT REQUIRE WRITTEN NOTICE TO BE GIVEN TO THE PROPER OFFICER:

- a. A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the Council's statutory functions, powers or obligations or an issue which specifically affects the Council's area or its residents.
- b. No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Office at least seven clear days before the meeting.
- c. The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final

11. RESOLUTIONS THAT MAY BE MOVED WITHOUT NOTICE

- a. To appoint a Chair for 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 a debate.
- g. To appoint a Committee or a Representative
- h. To adopt a report.
- i. To amend a motion.
- j. To exclude the public.
- k. To invite a Member having an interest in the subject matter under debate to remain.
- l. To suspend any Standing Order.
- m. To adjourn the meeting.

12. PREVIOUS RESOLUTIONS

- a. A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least four Councillors to be given to the Proper Officer at least seven days before the meeting.
- b. If and when a motion is tabled and disposed of, no similar motion may be moved for a further six months.

13. QUESTIONS

- a. Any Member may ask the Chair or the Clerk any questions regarding the business of the Council, providing notice of the question has been given by the person before the meeting begins.

- b. No questions not connected with the business under discussion shall be asked.
- c. The names of proposers and seconders will not be recorded unless a specific request is made.
- d. Any amendment to a resolution shall not have the effect of negating the proposed resolution.
- e. All Members should address the Chairman of the meeting at all times.

14. DRAFT MINUTES

- a. If the draft minutes of the preceding meeting have been served on Councillors with the Agenda to attend the meeting at which they are to be approved for accuracy, they shall be taken as read.
- b. There shall be no discussion about the minutes of a preceding meeting except in relation to their accuracy. A motion to correct any inaccuracy shall be moved and voted on.
- c. The accuracy of the draft minutes, including any amendments, shall be confirmed by resolution and signed by the Chair of the meeting.

15. DISORDERLY CONDUCT AT MEETINGS

- a. No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this occurs the Chair of the meeting shall request such person(s) to moderate or improve their conduct.
- b. If the person(s) disregard the request to moderate their conduct, any Councillor or the Chair may move that the person should no longer be heard or be excluded from the meeting. If seconded the motion should be put to the vote without further discussion.

16. LIAISON WITH SHROPSHIRE COUNCILORS

- a. A notice of the meeting and an invitation to attend should be addressed to the Shropshire Councillor representing the ward.
- b. Where appropriate letters addressed to Shropshire Council should be copied to the relevant Councillor.

17. PLANNING APPLICATIONS

- a. When received, planning application details will be forwarded to all Members for consideration and then responded to at the next advertised Council Meeting, unless a response has to be made to Shropshire Council before that date.
- b. If a return has to be made prior to the next meeting, Members will be asked to send comments to either the Clerk or the Chairman and the Chairman will then decide and advise the Clerk on what action needs to be taken.
- c. Decisions must be forwarded to Shropshire Council within the stated time.
- d. The Clerk will retain details of all applications until a decision is made by Shropshire Council's Planning Department

18. MEMBERS RESPONSIBILITIES UNDER THE LOCAL GOVERNMENT ACT 2000 (Amended 2007)

- a. To comply with the Members 'Code of Conduct'.
- b. To complete a 'Registration of Interest' document. The original of this document is held by Shropshire Council.
- c. To complete a declaration of 'Acceptance of Office', which is held by the Clerk.
- d. To sign the Council's Assurance Policy.

19. ANNUAL PARISH MEETING

- a. This meeting, which is open to residents of the Parish, will be held in one of the Village Halls normally on the third Wednesday in May. Where adverse conditions prevent this, the meeting will be held on an alternative date and will be widely advertised.
- b. Members of the public have an opportunity to raise items for discussion and participate in any debate.
- c. The Chair of the Parish Council or in his/her absence the Vice Chair will normally Chair the meeting and present a detailed report on the Council's activity in the previous year. In the absence of both the Chair and Vice Chair a Chair may be appointed from those attending the meeting.

20. EXTRAORDINARY MEETINGS OF THE COUNCIL

- a. The Chair of the Council may convene an extraordinary meeting of the Council at any time.
- b. If the Chair of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two Councillors any two Councillors may convene an extraordinary meeting.

21. FINANCIAL CONTROLS AND EXPENDITURE

- a. The Council must appoint a Financial Officer which will be undertaken by the Proper Officer as part of his/her responsibilities.
- b. The Council shall consider and approve financial regulations drawn up by the Proper Officer which shall include detailed arrangements in respect of the following:
 - i. The keeping of accounting records and systems of internal controls.
 - ii. The assessment and management of financial risks faced by the Council.
 - iii. The work of the independent internal auditor in accordance with proper practices.
 - iv. Arrange for the regular review of the Financial Regulations.
- c. Orders for the payment of money shall be authorised by a resolution of the Council and all cheques signed by two authorised persons. The counterfoils of all issued cheques must be initialled by the same people.

22. RESPONSIBILITY TO PROVIDE INFORMATION

- a. In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.
- b. Details of the Council's Publication Policy is contained within the Freedom of Information Policy.
- c. The Council shall publish information in accordance with the requirements of the Local Government (Transparency Requirement) (England) Regulations 2015.

23. MANAGEMENT OF INFORMATION

- a. The Council shall have in place and keep under review measures to keep secure information (including personal data) which it holds in paper and electronic form.
- b. The Council shall have in place and keep under review policies for the retention and safe destruction of all information which it holds in paper or electronic form.
- c. The agenda, and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.
- d. Councillors, staff, contractors and agents shall not disclose confidential information or personal data without legal justification.

24. CODE OF CONDUCT AND COMPLAINTS

The Council shall deal with complaints of maladministration allegedly committed by the Council, its Officers or a specific Member in line with the Council's complaints policy and based on NALC's Circular 2/86.

25. ATTENDANCE

Under Section 85 of the Local Government Act 1972, the failure of a Member to attend any meetings of the Council for a period of six months without just cause, automatically means that he/she ceases to be a Member of the Council.

26. COUNCIL VACANCIES

When a vacancy for a Councillor occurs, the Clerk must inform the Elections Officer at Shropshire Council and follow the procedures given by that officer.

27. STANDING ORDERS TO BE GIVEN TO MEMBERS

A copy of these Standing Orders shall be given to every Member.

Dated: February 2026