



STANDING ORDERS

With effect from 29th March 2016
As resolved at the Council meeting at the above date.
(Based on NALC Standing Orders – 2010) as amended following the Openness of Local Government Bodies Regulations 2014 coming into effect.

PROCEEDINGS AND BUSINESS

For the purposes of this document 'Chairman' means Chairman of the Council

1. Meetings

Meetings of the Council shall be held on such dates and times and at such a place as the Council may direct.

- a) Smoking is not permitted at any meeting of the Council.

2. Annual General Meeting

a) In an election year, the Annual General Meeting shall be held on or within 14 days following the day on which the councillors elected take office.

b) In a year which is not an election year, the Annual General Meeting shall take place on any day in May as determined by the Parish Council.

3. Frequency of meetings

In addition to the Annual Parish (Electors) Meeting, a minimum of four meetings shall be held in each year on such dates and times and at such a place as the Council may direct.

4. Election of Chairman

The election of the Chairman shall be the first business transacted at the Annual General Meeting of the Council. The Chairman shall be elected annually by the Council from among the Councillors.

5. Duration of Office

The Chairman shall, unless he/she resigns or ceases to be qualified or becomes disqualified, continue in office until his/her successor is elected.

6. Appointment of Vice-Chairman

The Council shall at the Annual General Meeting appoint a Vice- Chairman.

7. Chairman to Preside

At a meeting of the Parish Council the Chairman of the Council, if present, shall preside.

8. Absence of Chairman

If the Chairman of the Council is absent from a meeting of the Council, the Vice-Chairman of the Council, if present, shall preside.

9. Absence of Chairman and Vice-Chairman

If both the Chairman and Vice-Chairman of the Council are absent from a meeting of the Council, such Councillor as the members of the Council present shall choose, shall preside.

10. Annual Parish Meeting (Electors)

The Annual Parish Meeting will be held usually in May or on such a date as determined by the Parish Council

11. Chairman to Preside at Annual Parish (Electors) Meeting

If the Chairman of the Parish Council is present at the Annual Parish Meeting, he/she shall preside.

12. Absence of Chairman from Annual Parish (Electors) Meeting

If the Chairman of the Parish Council is absent from the Annual Parish (Electors) Meeting, the Parish Meeting may appoint a person to take the chair and that person shall have, for the purpose of the meeting, the powers and authority of the Chairman in relation to conduct of the meeting.

13. Quorum of the Council

Three members or one-third, whichever is the greater, shall constitute a quorum at meetings of the Council. No business shall be transacted if this number is not present, and the meeting shall be adjourned.

14. Attendance at Meetings

All councillors are required to attend all meetings of the Parish Council. Notice of Absence must be given to the Clerk in advance of the meeting. Reasons for absence may be requested. Notice of absence and acceptance shall be recorded at the meeting. Failure to attend any meetings of the Council for a period of six months commencing from the date of the last meeting attended will result in automatic disqualification of the councillor. Requests for prolonged absence, with reasons for the request may be made prior to the six month period expiring. Active service in the Armed Forces is a statutory reason for absence.

15. Declarations of Interest – Personal and Prejudicial

All councillors are required to register disclosable pecuniary interest, and to declare these at all meetings and may not vote or take part in any discussion on matters in which he/she has a personal or prejudicial interest.

16. Business

a) Notice of Motion

Notice of every motion other than a motion (as listed below that may be moved without notice) shall be given in writing, signed by the member of the Council giving the notice, and delivered to the Clerk at least 10 clear days before the next meeting of the Council.

b) Motions not Requiring Notice

- To appoint a Chairman of the Meeting
- To correct the Minutes
- To approve the Minutes
- To alter the order of business
- To close or adjourn the debate
- To refer a matter to a committee
- To appoint a committee or any member thereof
- To adopt a report
- To authorise the sealing of documents
- To amend a motion
- To give leave to withdraw a resolution or amendment
- To extend the time limit for speeches
- To exclude the Press or Public (see below)
- To silence or eject from the meeting a member named for misconduct (see below)
- To give consent of the Council where such consent is required by these Standing Orders
- To suspend any Standing Order (see below)

- To adjourn the meeting

c) Business expressly required by Statute

- To dispose of business, if any, remaining from the last meeting
- To receive such communications as the person presiding may wish to lay before the Council
- To answer questions from Councillors
- To receive and consider reports and minutes of committees and subcommittees
- To receive and consider resolutions and recommendations in the order in which they have been notified
- To authorise the sealing of documents
- If necessary, to authorise the signing of orders for payment

17. Referring Motions to Sub-Committees

If the subject matter of any motion of which notice has been given comes within the province of any committee or sub-committee, it shall upon being moved and seconded stand referred without discussion to such committee or sub-committee that the Council may determine, for consideration and report.

18. Provision Against Referring Motions to Committees

Provided that the Chairman may if he considers it convenient and conducive to the despatch of business, allow the motion to be dealt with at the meeting at which it is brought forward.

19. Relevance of Motions

Every motion shall be relevant to some matter in relation to which the Council has powers or duties, or which affects the Parish.

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

21. Rules of Debate and Motion and Amendment

- No discussion shall take place upon the Minutes except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chairman.
- All speech should be directed through the Chairman.
- A motion or amendment shall not be discussed unless it has been proposed and seconded.
- A member, when seconding a motion or amendment may, if he/she then declares his/her intention to do so, reserve his speech until a later period of debate.
- A member shall direct his speech to the question under discussion or to a personal explanation
- The Council may invite any member of the public who is considered to have a particular interest, knowledge or expertise relating to any matter under discussion to address the Council and to be questioned. Such member of the public shall not have the power to vote on the matter under discussion.
- A member may move without comment at the conclusion of a speech of another member 'that the Council proceed to the next business', 'that the question now be put'. 'that the debate be now adjourned', or that ' the Council do now adjourn' on according to which, the Chairman shall proceed as follows:

On a motion to proceed to the next business; unless in his/her opinion the matter before the meeting has been sufficiently discussed, he shall first give the mover of the original motion a right to reply, and then put to the vote the motion to proceed to the next business:

or

On a motion that the question be now put; unless in his/her opinion the matter before the meeting has been sufficiently discussed, he shall first put to the vote the motion that the original motion his right of reply before putting his motion to the vote;

or

On a motion to adjourn the debate or the meeting, if in his/her opinion the matter before the meeting has not been sufficiently discussed and cannot be reasonably sufficiently discussed on that occasion, he/she shall put the adjournment motion to the vote without giving the mover of the original motion his/her right of reply on that occasion.

h) A motion shall require to be proposed and seconded.

i) A decision on a topic ends discussion upon it. A chairman must rule out of order any attempt to re-open the topic.

j) Rescission of Previous Resolutions A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months except either by a special motion, the written notice whereof bears the names of at least 5 members of the Council, or by a motion moved in pursuance of the report or recommendation of a committee

22. Point of Order

A member may rise on a point of order or in personal explanation and shall be entitled to be heard forthwith. A point of order shall relate only to an alleged breach of a standing order or statutory provision and the member shall specify the standing order or statutory provision and the way in which he/she considers it has been breached. A personal explanation shall be confined to some material part of a former speech by him/her which may appear to have been misunderstood in the debate.

23. Behaviour of Members

All members must observe the Code of Conduct which was adopted by this Council on **May 25th 2021**

If any member reasonably believes that another member is in breach of the Code of Conduct, that member is under duty to report the breach to the Standards Committee at Royal Bough of Windsor and Maidenhead Council.

a) No member shall at a meeting persistently disregard the ruling of the Chairman, wilfully obstruct business or behave irregularly, improperly, or in such a way as to bring the Council into disrepute. If any member contravenes these rules, the Chairman or any other member may move that 'The member named be not further heard', and the motion, if seconded, shall be put and determined without discussion.

b) If a member continues his/her misconduct after a motion under the foregoing paragraph has been carried, the Chairman shall:

either move that the member leaves the meeting (in which case the motion shall be put and determined without discussion)

or

adjourn the meeting of the Council for such a period as his/her discretion shall consider expedient.

b) In the event of a general disturbance which in the opinion of the Chairman Renders the due and orderly dispatch of business impossible, the Chairman, in addition to any other power vested in him/her may, without question put, adjourn the meeting of the Council for whatever period he/she shall by his/her discretion consider expedient, and may take such further steps as may be reasonably considered.

24 .Admission of Public and Press to Meetings

The public and press shall be admitted to all meetings of the council and its committees. They may be temporarily excluded by the following resolution: 'That in view of the special/confidential nature of the business about to be transacted, the press and public will be temporarily excluded and they are now instructed to withdraw'. The special reason for the exclusion shall be given. At a time during the meetings of the Council, a convenient time in the transaction of business, the Chairman may invite the public to address the meeting.

The Clerk shall afford the press reasonable facilities for the taking of any report of any proceedings at which they are entitled to be present.

25 Filming and recording of meetings

If circumstances arise where the likelihood of filming or recording of the meeting by members of the public is considered possible, the Chairman will remind the public that data protection and if relevant, the protection of vulnerable adults or children is of paramount importance. On 6 August 2014, the Public Admissions to Meetings Act 1960 Act was amended by the Openness of Local Government Bodies Regulations 2014 (“the 2014 Regulations”). The amended 1960 Act provides that a person may not orally report or comment about a meeting as it takes place if he is present at the meeting of a parish council or its committees but otherwise may:

- a) film, photograph or make an audio recording of a meeting.
- b) use any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later.
- c) report or comment on the proceedings in writing during or after a meeting or orally report or comment after the meeting.

26 Extraordinary Meetings

The Chairman of the Council may convene an extraordinary meeting of the Council at any time. If the Chairman of the Council does not or refuses to call an extraordinary meeting of the Council within 5 clear days of having been requested to do so by two Councillors, those two Councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two Councillors.

27. Confidentiality of 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 sub-committee.
- b) Any member in breach of para 25a) shall be removed from any committee or sub-committee of the Council by the Council.

28. Committees and Sub-Committees

The Council may at its Annual General Meeting appoint standing committees or sub-committees. It may appoint such committees and sub-committees at any other time during the council year as it may be deemed necessary. No member of any committee or sub-committee shall hold office beyond the end of the council year, and a committee or sub-committee may be dissolved at any time during the council year. A committee shall meet in public with due notice of its meeting advertised. A sub-committee must report to full council its findings and recommendations.

29. Inclusion on Committees and Sub-Committees if Non-Members of the Council

A committee appointed under this section (other than a committee or subcommittee for regulating and controlling finances of the Council) may include persons who are not members of the council up to a maximum one-third of the total number.

30. Size, Term of Office and Area of Committee and Sub-Committee

The number of members of a committee or sub-committee appointed under this section, their term of office (not exceeding beyond the council year) and the area, if any, within which the committee or sub-committee is to exercise its authority, shall be fixed by the Council.

31. Register of Members Interests

The Clerk will hold a Register of Members interests or a copy thereof, in accordance with the agreement reached with the Monitoring Officer of Royal Borough Windsor and Maidenhead Council, and as required by statute. Members will be asked at the commencement of business at each meeting to declare personal or prejudicial interests.

32. Relationship with the Council

If a candidate for any appointment under the Council is to his or her knowledge related to any member of, or the holder of any office under the Council, he/she and the person to whom he/she 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 already appointed, shall 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 this Standing Order shall apply. The Clerk shall make known the purpose of this Standing Order to every candidate.

33. Canvassing of and Recommendation by Members.

a) Canvassing of members of the Council or any committee or sub-committee, directly or indirectly for any appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make known the purpose of this paragraph to all members of the Council.

b) A member of the Council or of any committee or sub-committee shall not solicit for any person any appointment under the Council, nor recommend any person for such appointment or promotion, but any such member may give a written testimonial of a candidate's ability, experience or character for admission to the Council with an application for an appointment.

Paragraph 31 a & b above shall apply to tenders as if the person making the tender were a candidate for an appointment.

34. Liaison with County and District Councillors

A summons and Agenda for each meeting shall be sent to the District Councillors for the appropriate division/ward.

35. Planning Applications

The Clerk shall, as soon as it is received, record the following particulars of every planning application received by the Council:

- The date on which it was received
- The name of the applicant
- The place to which it relates

The Clerk shall notify the receipt of every planning application to the Chair of the Planning Committee, or their deputy within 48 hours of receipt. The Clerk will produce a Planning report for consideration at each Full Council meeting. The report will detail the applications received and any comments made, by the Council. It will also detail the decisions made by Royal Borough of Windsor and Maidenhead Council on planning applications. Due to the meeting frequency of Full Council it is sometimes not possible for the Council to submit comments to Royal Borough of Windsor and Maidenhead Council within their consultation time period. In these instances the Council delegates its decision to the Planning Chairman to ensure that a timely response is given. For planning applications which have the following reference /CTREE the Council delegates its response to the Clerk who will submit the following comments on behalf of the Council:

The Parish Council has no objection provided the work proposed is carried out under the guidance of the Royal Borough of Windsor and Maidenhead Council Tree Officer.

36. Freedom of Information Act 2000

a) All requests for information held by the Council shall be processed in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000.

37. Accounts and Financial Statements

a) All payments by the Council shall be authorised, approved and paid in accordance with the Council's Financial Regulations.