

LONGPARISH PARISH COUNCIL

Standing Orders adopted 11 May 2009

Orders required by law are in bold print. Changes from the Orders approved are marked, and mainly concern finance and the Annual Parish Meeting.

Code of Conduct

- 1. The Council adopted the Standards Board Model Code of Conduct for parish and town council 2007 on 14 May 2007. A copy is appended to and forms part of these standing orders.**
2. The Clerk shall keep copies of the Notifications by Members of financial and other interests and the Notifications shall be open during reasonable hours of the day for the inspection of any elector of the parish.

Meetings

3. Meetings of the Council are held in Longparish Community Hall at 7.30pm unless the Council otherwise decides at a previous meeting.
- 4. The statutory Annual Meeting (a) in an election year shall be held on the Monday following the fourth day after the ordinary day of elections to the Council and (b) in a year which is not an election year shall be held on the second Monday in May.**
- 5. The three other statutory meetings shall be held on the second Monday in the months of January, March, and September.**
- 6. Two additional meetings shall be held on the second Monday of the months of July and November.**
7. **The Annual Parish Meeting** shall be held between 1st March and 1st June. The agenda shall be published 7 clear days before the meeting. Only voters can speak and vote at the meeting. The quorum is two.

Chairman

- 8. The person presiding at a meeting may exercise all the powers and duties of a chairman in relation to the conduct of the meeting.**

Clerk

9. The clerk is the proper officer of the Council and shall
 - a. receive declarations of acceptance of office
 - b. receive and record notices disclosing pecuniary interests
 - c. receive and retain plans and documents
 - d. sign notices and documents on behalf of the Council
 - e. sign summonses to attend meetings

In any other case the Council may nominate a proper officer.

Quorum

- 10. Four members shall constitute a quorum, and if a quorum is not present for any part of the meeting business shall be adjourned until another meeting is called.**

Voting

11. Members shall vote by a show of hands, unless two members request a signed ballot.
12. 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.
13. Subject to a. and b. below, the Chairman may vote on any matter put to the vote, and if the votes cast are equal may give a casting vote, even though he gave no original vote.
 - a. 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.
 - b. The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.

Order of business

14. At each Annual Meeting the first business shall be
 - a. to elect a Chairman. (It is recommended that the Chairman of the Council shall not serve for more than four consecutive years.)
 - b. to receive the Chairman's declaration of acceptance of office or to decide when it shall be received.
 - c. in an 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 which have not been received shall be received.
 - e. to elect a Vice-Chairman
 - f. to appoint committees and the Chairman of the Planning Committee
 - g. to appoint a Village Hall representative, transport representative, Longparish Community Association representative and Tree Warden
 - h. to consider the payment of any annual subscriptions
 - i. to appoint a Responsible Financial Officer, who may be the Clerk.
 - j. and then to follow the order in Standing Order 17.
15. At any meeting, if the Chairman and Vice-Chairman are absent, the first business must be to appoint a Chairman and to receive any declarations of office.
16. In every year before the estimates for next year are settled the Council shall review the pay and conditions of service of existing employees.
17. The order of business at meetings shall be as follows
 - a. To consider the minutes which shall have been circulated after the previous meeting and **to approve their signature by the chairman as a correct record.**
 - b. **To deal with business expressly required by statute to be done**
 - c. To dispose of any matters arising from the minutes not on the current agenda.
 - d. To consider briefly any matter raised by a parishioner attending the meeting
 - e. To consider any planning applications
 - f. To consider the current financial report and authorise any payments
 - g. To receive consider the minutes and reports of committees
 - h. To consider any other business or resolutions specified in the summons
 - i. To consider matters arising from correspondence received by the Council
 - j. A motion to vary the order of business on the grounds of urgency can be put to the vote without discussion.

Summons and Agenda

18. The summons and agenda for each meeting of the Council must be posted on the notice boards and sent to each member three clear days before the meeting, that is on Thursday

before a Monday meeting. The summons and agenda for each meeting of a committee must be posted on the notice boards and sent to each member of the committee and copied to all other members of the Council three clear days before the meeting, that is on Thursday before a Monday meeting

19. A member wishing to have an item included in the agenda must notify the Clerk by Tuesday of the week before the meeting.

Rules of debate

20. Any resolution must be proposed and seconded, and after discussion be put to the vote, unless it is withdrawn by the proposer.
21. Any amendment to the resolution must be proposed and seconded and shall be discussed and put to the vote before the original resolution.
22. Members shall address the Chairman, and shall be silent when the chairman speaks.
23. Any member can request that the question be now put, or the debate adjourned, and if the Chairman considers that there has been adequate discussion, a vote shall be taken.

Reversal of decisions

24. A decision of the Council shall not be reversed within 6 months except by a special resolution written and signed by five members, or by a resolution which follows the recommendation of a committee.

Expenditure

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

Minutes

26. Minutes of Council meetings should be normally be taken by the Clerk who will consult with the Chairman of the meeting on the draft as soon as possible after the meeting and circulate them to all Councillors and to the County and District Councillors representing Longparish.

Committees

27. The Council may at its Annual Meeting appoint standing committees and at any other time appoint such committees as are necessary for the duration of the year.
28. The council may appoint non-Council members to any committee.
29. The Chairman and Vice-Chairman shall be ex-officio members of every committee.
30. Every committee shall at its first meeting elect a Chairman who shall hold office until the next Annual Meeting of the Council and who shall settle its programmes of meetings for the year.
31. Additional meetings of a committee may be summoned either by the chairman or by written request of 2 members but should only consider business specified in the summons.
32. A quorum shall be half the members, or 4, whichever is the less.
33. Members shall vote by a show of hands, and **the Chairman shall in the case of an equality of votes have a second or casting vote.**

34. Minutes of committee meetings should be normally be taken by the Clerk who will consult with the Chairman of the committee on the draft as soon as possible after the meeting and circulate them to members of the committee and other Councillors.

Responsible Financial Officer

35. The Responsible Financial Officer:
- a. prepares financial reports for the finance committee and /or council
 - b. prepares draft estimates with the finance committee
 - c. submits the precept to the district council
 - d. banks regularly all money received by the council
 - e. ensures that all money due to the council is billed and collected promptly
 - f. handles the overall management of payroll
 - g. takes overall responsibility for submission of quarterly VAT returns and deals with VAT inspections.
 - h. Prepares and balances, with the finance committee, final accounts, and reports thereon to the council.
 - i. produces accounts and records for external audit in accordance with the regulations
 - j. submits to the council at the ordinary meeting following the audit the auditor's list of notes and queries
 - k. Manages insurance risk. Processes claims as necessary. Reports annually to the council on insurance risk covered.
 - l. Maintains the council's register of property and assets

Accounts and financial statement

36. All accounts for payment and claims upon the Council shall be laid before the Council.
37. Where it is necessary to make a payment before it has been authorised by the Council, it must be certified as to its correctness and urgency by the Chairman or Vice-Chairman, and submitted to the Council at its next meeting.
38. The Responsible Financial Officer or Clerk shall submit to the Council at every ordinary meeting a statement of receipts and payments.
39. Annual accounts for the year to 31 March shall be approved by the council before the following 30 September.

Estimates

40. The Council shall approve written estimates for the coming financial year at its meeting in January.
41. Any committee desiring to incur expenditure shall, not later than 30th November, give to the Clerk a written estimate of the expenditure recommended for the following year.

Interests

42. **The Clerk shall record in a book to be kept for the purpose particulars of any notice given by any member or officer of the Council of a pecuniary interest in a contract, and the book shall be open during reasonable hours of the day for the inspection of any member.**

Inspection of documents

43. **All minutes kept by the Council or a committee shall be open for inspection of any member of the Council** and a member of the Council may inspect any document in

possession of the Council or a committee. If copies are available they shall on request be supplied.

44. Members of the public can, at any reasonable hour, inspect the statement of accounts, minutes and any documents submitted to the Council, and can make copies or extracts from them.

Unauthorised activities

45. No member of the Council or a committee shall issue orders, instructions or directions unless authorised to do so by the Council or the relevant committee.

Admission of the public and press to meetings

46. **The public shall be admitted to all meetings of the Council and its committees, which may, however, temporarily exclude the public**, if the business is confidential (such as relating to an employee) or if temporary exclusion is advisable in the public interest, by means of the following resolution:
47. *“That in view of the special or confidential nature of the business about to be transacted, it is advisable in the public interest that the public be temporarily excluded and they are instructed to withdraw.” (The special reasons should be stated).*
48. **The Clerk shall give the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present.**
49. Members of the public shall not speak unless invited to do so by the Chairman, and may be asked to leave if, after being warned, they interrupt proceedings.

Liaison with County and District Councillors

50. A notice of meeting and invitation to attend Council Meetings shall be sent to the County and District Councillors representing Longparish.
51. Copies of letters sent by the Council to Test Valley Borough Council or Hampshire County Council shall be sent to the local councillors.

Planning applications

52. The Clerk shall, as soon as it is received, enter in a file kept for the purpose the following particulars of any planning application notified to the Council:
 - a. the date on which it was received
 - b. the name of the applicant
 - c. the place to which it relates
 - d. a summary of the nature of the application.

This file shall also be used to record the Council’s recommendation on the application, and the outcome.

53. The Clerk shall refer every planning application to the Chairman, or in his absence the Vice-Chairman within 48 hours of receiving it.

Tree Applications

54. Deadlines for commenting on tree applications are short and sometimes fall between meetings. In such cases, the Chair of Planning or the Chairman should consult the Tree Warden and circulate their agreed opinion to members by email or otherwise. If two or more members agree and the others make no response or do not disagree, the Chair of Planning or the Clerk shall send in the decision. If it is controversial a meeting must be called.

Contracts

55. Three weeks notice of contracts for goods or services over £1000 shall be posted on the notice boards, and tenders invited to be sent to the Clerk. Tenders shall be opened by the Clerk, and reported to the Council or relevant committee.
56. The Council is not bound to accept the lowest tender, and if no acceptable tender is received the Council can make such arrangements as it sees fit.

Complaints

57. The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or member in the manner recommended by the National Association of Local Councils.

Standing Orders

58. **A copy of these Standing Orders shall be given to each member by the Clerk upon delivery to him/her of the member's declaration of acceptance of office.**
59. **Any or every part of the Standing Orders except those in bold type may be suspended by resolution in relation to any specific item of business. Any permanent change must be proposed and seconded and then discussed at the next meeting of the full Council.**

Local Authorities (Model Code of Conduct) Order 2007 No.1159

**THE MODEL CODE OF CONDUCT
FOR PARISH AND TOWN COUNCILS**

Part 1

General provisions

Introduction and interpretation

1.—(1) This Code applies to **you** as a member of an authority.

(2) You should read this Code together with the general principles prescribed by the Secretary of State (see Annexure to this Code).

(3) It is your responsibility to comply with the provisions of this Code.

(4) In this Code—

“meeting” means any meeting of—

- (a) the authority;
- (b) any of the authority’s committees or sub-committees, joint committees or joint sub-committees;

“member” includes a co-opted member and an appointed member.

(5) References to an authority’s monitoring officer and an authority’s standards committee shall be read, respectively, as references to the monitoring officer and the standards committee of the district council or unitary county council which has functions in relation to the parish council for which it is responsible under section 55(12) of the Local Government Act 2000.

Scope

2.—(1) Subject to sub-paragraphs (2) to (5), you must comply with this Code whenever you—

- (a) conduct the business of your authority (which, in this Code, includes the business of the office to which you are elected or appointed); or
- (b) act, claim to act or give the impression you are acting as a representative of your authority,

and references to your official capacity are construed accordingly.

(2) Subject to sub-paragraphs (3) and (4), this Code does not have effect in relation to your conduct other than where it is in your official capacity.

(3) In addition to having effect in relation to conduct in your official capacity, paragraphs 3(2)(c), 5 and 6(a) also have effect, at any other time, where that conduct constitutes a criminal offence for which you have been convicted.

(4) Conduct to which this Code applies (whether that is conduct in your official capacity or conduct mentioned in sub-paragraph (3)) includes a criminal offence for which you are convicted (including an offence you committed before the date you took office, but for which you are convicted after that date).

(5) Where you act as a representative of your authority—

- (a) on another relevant authority, you must, when acting for that other authority, comply with that other authority’s code of conduct; or
- (b) on any other body, you must, when acting for that other body, comply with your authority’s code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

General obligations

3.—(1) You must treat others with respect.

(2) You must not—

- (a) do anything which may cause your authority to breach any of the equality enactments (as defined in section 33 of the Equality Act 2006⁽¹⁾);
- (b) bully any person;
- (c) intimidate or attempt to intimidate any person who is or is likely to be—
 - (i) a complainant,
 - (ii) a witness, or
 - (iii) involved in the administration of any investigation or proceedings, in relation to an allegation that a member (including yourself) has failed to comply with his or her authority's code of conduct; or
- (d) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, your authority.

4. You must not—

- (a) disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where—
 - (i) you have the consent of a person authorised to give it;
 - (ii) you are required by law to do so;
 - (iii) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or
 - (iv) the disclosure is—
 - (aa) reasonable and in the public interest; and
 - (bb) made in good faith and in compliance with the reasonable requirements of the authority; or
- (b) prevent another person from gaining access to information to which that person is entitled by law.

5. You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.

6. You—

- (a) must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage; and
- (b) must, when using or authorising the use by others of the resources of your authority—
 - (i) act in accordance with your authority's reasonable requirements; and
 - (ii) ensure that such resources are not used improperly for political purposes (including party political purposes).
- (c) must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

7. Paragraph 7 does not apply to your authority.

⁽¹⁾ 2006 c.3.

Part 2

Interests

Personal interests

8.—(1) You have a personal interest in any business of your authority where either—

- (a) it relates to or is likely to affect—
 - (i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
 - (ii) any body—
 - (aa) exercising functions of a public nature;
 - (bb) directed to charitable purposes; or
 - (cc) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union),
of which you are a member or in a position of general control or management;
 - (iii) any employment or business carried on by you;
 - (iv) any person or body who employs or has appointed you;
 - (v) any person or body, other than a relevant authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties;
 - (vi) any person or body who has a place of business or land in your authority's area, and in whom you have a beneficial interest in a class of securities of that person or body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital (whichever is the lower);
 - (vii) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi);
 - (viii) the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25;
 - (ix) any land in your authority's area in which you have a beneficial interest;
 - (x) any land where the landlord is your authority and you are, or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi) is, the tenant;
 - (xi) any land in the authority's area for which you have a licence (alone or jointly with others) to occupy for 28 days or longer; or
 - (b) a decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a relevant person to a greater extent than the majority of—
 - (i) (in the case of authorities with electoral divisions or wards) other council tax payers, ratepayers or inhabitants of the electoral division or ward, as the case may be, affected by the decision; or
 - (ii) (in all other cases) other council tax payers, ratepayers or inhabitants of your authority's area.
- (2) In sub-paragraph (1)(b), a relevant person is—
- (a) a member of your family or any person with whom you have a close association; or
 - (b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
 - (c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or

- (d) any body of a type described in sub-paragraph (1)(a)(i) or (ii).

Disclosure of personal interests

9.—(1) Subject to sub-paragraphs (2) to (5), where you have a personal interest in any business of your authority and you attend a meeting of your authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

(2) Where you have a personal interest in any business of your authority which relates to or is likely to affect a person described in paragraph 8(1)(a)(i) or 8(1)(a)(ii)(aa), you need only disclose to the meeting the existence and nature of that interest when you address the meeting on that business.

(3) Where you have a personal interest in any business of the authority of the type mentioned in paragraph 8(1)(a)(viii), you need not disclose the nature or existence of that interest to the meeting if the interest was registered more than three years before the date of the meeting.

(4) Sub-paragraph (1) only applies where you are aware or ought reasonably to be aware of the existence of the personal interest.

(5) Where you have a personal interest but, by virtue of paragraph 14, sensitive information relating to it is not registered in your authority's register of members' interests, you must indicate to the meeting that you have a personal interest, but need not disclose the sensitive information to the meeting.

Prejudicial interest generally

10.—(1) Subject to sub-paragraph (2), where you have a personal interest in any business of your authority you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.

(2) You do not have a prejudicial interest in any business of the authority where that business—

- (a) does not affect your financial position or the financial position of a person or body described in paragraph 8;
- (b) does not relate to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph 8; or
- (c) relates to the functions of your authority in respect of—
 - (i) this sub-paragraph does not apply to your authority;
 - (ii) this sub-paragraph does not apply to your authority;
 - (iii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;
 - (iv) an allowance, payment or indemnity given to members;
 - (v) any ceremonial honour given to members; and
 - (vi) setting council tax or a precept under the Local Government Finance Act 1992.

11. Paragraph 11 does not apply to your authority.

Effect of prejudicial interests on participation

12.—(1) Subject to sub-paragraph (2), where you have a prejudicial interest in any business of your authority—

- (a) you must withdraw from the room or chamber where a meeting considering the business is being held—

- (i) in a case where sub-paragraph (2) applies, immediately after making representations, answering questions or giving evidence;
- (ii) in any other case, whenever it becomes apparent that the business is being considered at that meeting;

unless you have obtained a dispensation from your authority's standards committee; and

- (b) you must not seek improperly to influence a decision about that business.

(2) Where you have a prejudicial interest in any business of your authority, you may attend a meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

Part 3

Registration of Members' Interests

Registration of members' interests

13.—(1) Subject to paragraph 14, you must, within 28 days of—

- (a) this Code being adopted by or applied to your authority; or
- (b) your election or appointment to office (where that is later),

register in your authority's register of members' interests (maintained under section 81(1) of the Local Government Act 2000) details of your personal interests where they fall within a category mentioned in paragraph 8(1)(a), by providing written notification to your authority's monitoring officer.

(2) Subject to paragraph 14, you must, within 28 days of becoming aware of any new personal interest or change to any personal interest registered under paragraph (1), register details of that new personal interest or change by providing written notification to your authority's monitoring officer.

Sensitive information

14.—(1) Where you consider that the information relating to any of your personal interests is sensitive information, and your authority's monitoring officer agrees, you need not include that information when registering that interest, or, as the case may be, a change to that interest under paragraph 13.

(2) You must, within 28 days of becoming aware of any change of circumstances which means that information excluded under paragraph (1) is no longer sensitive information, notify your authority's monitoring officer asking that the information be included in your authority's register of members' interests.

(3) In this Code, "sensitive information" means information whose availability for inspection by the public creates, or is likely to create, a serious risk that you or a person who lives with you may be subjected to violence or intimidation.

Annexure - The Ten General Principles

The general principles governing your conduct under the *Relevant Authorities (General Principles) Order 2001* are set out below:

Selflessness

1. Members should serve only the public interest and should never improperly confer an advantage or disadvantage on any person.

Honesty and Integrity

2. Members should not place themselves in situations where their honesty and integrity may be questioned, should not behave improperly and should on all occasions avoid the appearance of such behaviour.

Objectivity

3. Members should make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.

Accountability

4. Members should be accountable to the public for their actions and the manner in which they carry out their responsibilities, and should co-operate fully and honestly with any scrutiny appropriate to their particular office.

Openness

5. Members should be as open as possible about their actions and those of their authority, and should be prepared to give reasons for those actions.

Personal Judgement

6. Members may take account of the views of others, including their political groups, but should reach their own conclusions on the issues before them and act in accordance with those conclusions.

Respect for Others

7. Members should promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability. They should respect the impartiality and integrity of the authority's statutory officers, and its other employees.

Duty to Uphold the Law

8. Members should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in them.

Stewardship

9. Members should do whatever they are able to do to ensure that their authorities use their resources prudently and in accordance with the law.

Leadership

10. Members should promote and support these principles by leadership, and by example, and should act in a way that secures or preserves public confidence.