



Bisley-with-Lypiatt Parish Council Standing Orders

These Standing Orders were adopted by the Council at its meeting held on xx 2024
Standing Orders shown in **bold type** reflect statutory requirements and cannot be changed or suspended.

Version	Changes	Approved
Version 1.0	To align Bisley-with-Lypiatt Standing Orders 2021 with the NALC Model 2022	7 th February 2024

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INTRODUCTION

This is version two of the NALC Model Standing Orders 2018 (England), updated on April 2022, to reflect local requirements for the parish of Bisley-with-Lypiatt. This update is to Model Standing Order 18 only.

HOW TO USE MODEL STANDING ORDERS

Standing orders are the written rules of a local council. Standing orders are essential to regulate the proceedings of a meeting. A council may also use standing orders to confirm or refer to various internal organisational and administrative arrangements. The standing orders of a council are not the same as the policies of a council but standing orders may refer to them.

Local councils operate within a wide statutory framework. NALC model standing orders incorporate and reference many statutory requirements to which councils are subject. It is not possible for the model standing orders to contain or reference all the statutory or legal requirements which apply to local councils. For example, it is not practical for model standing orders to document all obligations under data protection legislation. The statutory requirements to which a council is subject apply whether or not they are incorporated in a council's standing orders.

The model standing orders do not include model financial regulations. Financial regulations are standing orders to regulate and control the financial affairs and accounting procedures of a local council. The financial regulations, as opposed to the standing orders of a council, include most of the requirements relevant to the council's Responsible Financial Officer. Model financial regulations are available to councils in membership of NALC.

Drafting notes

Model standing orders that are in bold type contain legal and statutory requirements. It is recommended that councils adopt them without changing them or their meaning. Model standing orders not in bold are designed to help councils operate effectively but they do not contain statutory requirements so they may be adopted as drafted or amended to suit a council's needs. It is NALC's view that all model standing orders will generally be suitable for councils.

For convenience, the word "councillor" is used in model standing orders and, unless the context suggests otherwise, includes a non-councillor with or without voting rights.

A model standing order that includes brackets like this '()' requires information to be inserted by a council. A model standing order that includes brackets like this '[]' and the term 'OR' provides alternative options for a council to choose from when determining standing orders.

1. RULES OF DEBATE AT MEETINGS

- a Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairman of the meeting for reasons of expedience.
- b A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- c A motion to amend an original or substantive motion shall not be considered unless proper notice has been given after the original or substantive motion has been seconded and notice of such amendment, shall, if required by the Chairman, be reduced to writing and handed to the Chairman.
- d A motion on the agenda that is not moved by its proposer may be treated by the chairman of the meeting as withdrawn.
- e If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- f A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration. If an amendment to the original motion is carried, the original motion (as amended) becomes the substantive motion upon which further amendment(s) may be moved.
- g An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chairman of the meeting, is expressed in writing to the chairman.
- h A councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- i Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman. No further amendment to a motion shall be moved until the previous amendment has been disposed of. One or more amendments may be discussed together if the chairman of the meeting considers this expedient but each amendment shall be voted upon separately.
- j A councillor may not move more than one amendment to an original or substantive motion.
- k The mover of an amendment has no right of reply at the end of debate on it.
- l Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate on the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.

- m Unless permitted by the chairman of the meeting, a councillor may speak once in the debate on a motion except:
- i. to speak on an amendment moved by another councillor;
 - ii. to move or speak on another amendment if the motion has been amended since he last spoke;
 - iii. to make a point of order;
 - iv. to give a personal explanation; or
 - v. to exercise a right of reply.
- n During the debate on a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.
- o A point of order shall be decided by the chairman of the meeting and his decision shall be final.
- p When a motion is under debate, no other motion shall be moved except:
- i. to amend the motion;
 - ii. to proceed to the next business;
 - iii. to adjourn the debate;
 - iv. to put the motion to a vote;
 - v. to ask a person to be no longer heard or to leave the meeting;
 - vi. to refer a motion to a committee or sub-committee for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting; or
 - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- q Before an original or substantive motion is put to the vote, the chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.
- r Excluding motions moved under standing order 1(r), the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed (5) minutes without the consent of the chairman of the meeting.

- s In respect of an item of business included in the Agenda but outside the public participation agenda item, a Councillor may, at the discretion of the Chairman, ask a member of the public present to add further information or comment that will assist the debate during that agenda item.

2. DISORDERLY CONDUCT AT MEETINGS

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- b If person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- c If a resolution made under standing order 2(b) is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

3. MEETINGS GENERALLY

Full Council meetings	●
Committee meetings	●
Sub-committee meetings	●

- a **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**
- b **Meetings shall be held at such venues in Wards of the Parish as the Council may determine. They shall be held at 7.30 pm unless the Council has otherwise decided. They shall normally end by 9.30 pm.**
- c **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
- d **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice**
- e **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. The public's**

exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.

- f Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda. Any further participation or comment by the public will be at the discretion of the Chairman.
- g To clarify paragraph f above a question asked by a member of the public during a public participation session at a meeting shall not require a response or debate. The Chairman may however direct that a question posed by a member of the public be referred to a Councillor for an oral response or to the Parish Clerk for a written or oral response.
- h The period of time designated for public participation at a meeting in accordance with standing order 3(f) shall not exceed 15 minutes unless directed by the chairman of the meeting.
- i Subject to standing order 3(h), a member of the public shall not speak for more than 15 minutes.
- j A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- k In accordance with standing order 3(e), a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.
- l A person who speaks at a meeting shall direct his / her comments to the chairman.
- m Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.
- n **Subject to standing order 3(o), 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, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.**
- o **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
- p **The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**

- q **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council (if there is one).**
- r **The Chairman of the Council, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman of the Council (if there is one) if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**
- s **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.**
- t **The chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote.**

See standing orders 5(h) and (i) for the different rules that apply in the election of the Chairman of the Council at the annual meeting of the Council.

- u **Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.**
- v **The minutes of a meeting shall include an accurate record of the following:**
 - i. the time and place of the meeting;
 - ii. the names of councillors who are present and the names of councillors who are absent;
 - iii. interests that have been declared by councillors and non-councillors with voting rights;
 - iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;
 - v. if there was a public participation session; and
 - vi. the resolutions made.
- w **A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his**

right to participate and vote on that matter.

- x **No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.**

- y The quorum for full Council meetings shall be four members, provided that at least two Wards are represented.

See standing order 4d(viii) for the quorum of a committee or sub-committee meeting.

- z **If a meeting is or becomes inquorate no business shall be transacted**
● and the meeting shall be closed. The business on the agenda for the meeting
● shall be adjourned to another meeting.

- aa The Chairman's decision as to the application of standing orders at meetings shall be final.

4. COMMITTEES AND WORKING GROUPS

- a **Unless the Council determines otherwise, a committee may appoint a working group whose terms of reference and members shall be determined by the committee.**
- b **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**
- c **Unless the Council determines otherwise, all the members of a working group may be non-councillors**
- d The Council may appoint standing committees or other committees as may be necessary, and:
 - i. shall determine their terms of reference;
 - ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council;
 - iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
 - iv. shall, subject to standing orders 4(b) and (c), appoint and determine the terms of office of Councillor or non-Councillor members of such a committee;
 - v. shall, after it has appointed the members of a standing committee, appoint the chairman of the standing committee;

- vi. shall permit a committee other than a standing committee, to appoint its own chairman at the first meeting of the committee;
- vii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which, in both cases, shall be no less than three members;
- viii. shall determine if the public may participate at a meeting of a committee;
- ix. may dissolve a committee or a sub-committee at any time.

5. ORDINARY COUNCIL MEETINGS

- a **In an election year, the annual meeting of the Council 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 meeting of the Council shall be held on such day in May as the Council decides.**
- c **If no other time is fixed, the annual meeting of the Council shall take place at 6pm.**
- d **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council decides.**
- e **The first business conducted at the annual meeting of the Council shall be the election of the Chairman and Vice-Chairman (if there is one) of the Council.**
- f **The Chairman of the Council, unless they have resigned or become disqualified, shall continue in office and preside at the annual meeting until their successor is elected at the next annual meeting of the Council.**
- g **The Vice-Chairman of the Council, if there is one, unless they resign or become disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.**
- h **In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, they shall preside at the annual meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but shall give a casting vote in the case of an equality of votes.**
- i **In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, they shall preside at the annual meeting until a new Chairman of the Council has been elected. They may**

exercise an original vote in respect of the election of the new Chairman of the Council and shall give a casting vote in the case of an equality of votes.

- j Following the election of the Chairman of the Council and Vice-Chairman (if there is one) of the Council at the annual meeting, the business shall include:
- i. **In an election year, delivery by the Chairman of the Council and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council of their acceptance of office form unless the Council resolves for this to be done at a later date;**
 - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council;
 - iii. Receipt of the minutes of the last meeting of a committee;
 - iv. Consideration of the recommendations made by a committee;
 - v. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
 - vi. Appointment of members to existing committees;
 - vii. Appointment of any new committees in accordance with standing order 4;
 - viii. Confirmation of arrangements for insurance cover in respect of all insurable risks;
 - ix. Review of the Council's and/or staff subscriptions to other bodies;
 - x. Review of the Council's complaints procedure;
 - xi. Review of the Council's policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation (*see also standing orders 11, 20 and 21*);
 - xii. Review of the Council's policy for dealing with the press/media;
 - xiii. Review of the Council's employment policies and procedures;
 - xiv. Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence.
 - xv. Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.
- k 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 are absent) and to receive such declarations of acceptance of office (if any) and undertakings to observe the Council's Code of Conduct as are required by

law to be made or, if these are not then received, to decide when they shall be received.

- I 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 and Declarations of Interest from Councillors.
 - ii. To record public participation at the meeting.
 - iii. To read and consider the Minutes, provided that if a copy has been circulated to each member not later than the day of issue of the summons to attend the meeting, the minutes may be taken as read.
 - iv. After consideration to approve the signature of the Minutes by the person presiding as a correct record.
 - v. To deal with business expressly required by statute to be done.
 - vi. To dispose of business, if any, remaining from the last meeting.
 - vii. To consider planning applications received.
 - viii. To receive reports from representatives on other bodies.
 - ix. To consider resolutions or recommendations.
 - x. To receive and consider reports and minutes of committees.
 - xi. To authorise the payment of bills and other claims received.
 - xii. To receive such communications as the person presiding may wish to place before the Council.
 - xiii. To receive Ward reports.

6. EXTRAORDINARY MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES

- a **The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
- b **If the Chairman 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 of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two councillors.**
- c The chairman of a committee may convene an extraordinary meeting of the committee at any time.
- d If the chairman of a committee does not call an extraordinary meeting within 7

days of having been requested to do so by 2 Councillors, those 2 Councillors may convene an extraordinary meeting of the committee. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by those 2 Councillors

7. BUSINESS TIMETABLE

The following deadlines for the conduct of Parish Council business shall apply

Monthly meeting + 1 week:	First Draft Minutes issued
Monthly meeting + 2 weeks:	Comments on First Draft Minutes to Clerk
Monthly meeting + 3 weeks:	Final Draft Minutes issued
Tuesday of the week before monthly meeting:	Deadline for Agenda items and supporting information to Clerk

8. 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 4 councillors to be given to the Proper Officer in accordance with standing order 10, or by a motion moved in pursuance of the recommendation of a committee.
- b When a motion moved pursuant to standing order 8(a) has been disposed of, no similar motion may be moved for a further six months.

9. VOTING ON APPOINTMENTS

- a Where 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 number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the chairman of the meeting.

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 performance of the Council's statutory functions, powers and 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 Officer by the deadline set out in the Business Timetable. Clear days do not include the day of the notice or the day of the meeting.
- c The Proper Officer may, before including a motion on the agenda received in accordance with standing order 10(b), correct obvious grammatical or typographical errors in the wording of the motion.
- d If the Proper Officer considers the wording of a motion received in accordance with standing order 10(b) is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it, so that it can be understood, in writing, to the Proper Officer by the deadline set out in the Business Timetable.
- e If the wording or subject of a proposed motion is considered improper, the Clerk shall consult with the chairman of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- f The decision of the Clerk as to whether or not to include the motion on the agenda shall be final.
- g Motions received shall be recorded and numbered in the order that they are received.
- h Motions rejected shall be recorded with an explanation by the Clerk of the reason for rejection.

11. MOTIONS AT A MEETING THAT DO NOT REQUIRE WRITTEN NOTICE

- a The following motions may be moved at a meeting without written notice to the Proper Officer:
 - i. to approve the accuracy of the minutes of the previous meeting
 - ii. to correct an inaccuracy in the draft minutes of a meeting;
 - iii. to dispose of business, if any, remaining from the last meeting
 - iv. to alter the order of business on the agenda for reasons of urgency or expedience
 - v. to move to a vote;
 - vi. to defer consideration of a motion;
 - vii. to refer a motion to a particular committee;
 - viii. to appoint a person to preside at a meeting;
 - ix. to change the order of business on the agenda;

- x. to proceed to the next business on the agenda;
 - xi. to require a written report;
 - xii. to appoint a committee and their members;
 - xiii. To authorise legal deeds to be signed by two Councillors and witnessed
 - xiv. To authorise the payment of monies up to £1,000 (for Ward Leads)
 - xv. To amend a motion relevant to the original or substantive motion under
 - xvi. consideration which shall not have the effect of nullifying it
 - xvii. to extend the time limits for speaking
 - xviii. to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest
 - xix. to not hear further from a councillor or a member of the public
 - xx. to exclude a councillor or member of the public for disorderly conduct
 - xxi. to temporarily suspend the meeting
 - xxii. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements)
 - xxiii. To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies
 - xxiv. To answer questions from Councillors
 - xxv. to adjourn the meeting; or
 - xxvi. to close the meeting
- b If a motion falls within the terms of reference of a committee or sub-committee or within the delegated powers conferred on an employee, the matter may be referred to such committee or sub-committee or employee provided that the Chairman may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

12. MANAGEMENT OF INFORMATION

See also standing order 21

- a **The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of**

personal data.

- b **The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).**
- c **The agenda, papers that support 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, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.**

13. DRAFT MINUTES

Full Council meetings ●
Committee meetings ●
Sub-committee meetings ●

- a If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 10(a)(i).
- c The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d If the chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:

“The chairman of this meeting does not believe that the minutes of the meeting of the Bisley-with-Lypiatt Parish Council held on [date] in respect of () were a correct record but his view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”

- e **If the Council's gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than**
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one month after the meeting has taken place.

- f Subject to the publication of draft minutes in accordance with standing order and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

14. CODE OF CONDUCT AND DISPENSATIONS

See also standing order 3(w).

- a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
- b Unless they have been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which they have a disclosable pecuniary interest. They may return to the meeting after it has considered the matter in which they had the interest.
- c Unless they have been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which they have another interest if so required by the Council's code of conduct. They may return to the meeting after it has considered the matter in which he had the interest.
- d All Councillors shall observe the Code of Conduct adopted by the Council. If members of the public are present and permitted to:
 - i. make representations,
 - ii. answer questions
 - iii. give evidence relating to the business being transacted,then Councillors with a prejudicial interest in relation to any item of business being transacted at a meeting may:
 - i. make representations,
 - ii. answer questions
 - iii. give evidence relating to the business being transacted,but must, thereafter, leave the room or chamber.
- e **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- f A decision as to whether to grant a dispensation shall be made by the Proper Officer and that decision is final.

- g A dispensation request shall confirm:
 - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - iv. an explanation as to why the dispensation is sought.
- h Subject to standing orders 13(e) and (g), a dispensation request shall be considered by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required.
- i **A dispensation may be granted in accordance with standing order 13(f) if having regard to all relevant circumstances any of the following apply:**
 - i. **without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business;**
 - ii. **granting the dispensation is in the interests of persons living in the Council's area; or**
 - iii. **it is otherwise appropriate to grant a dispensation.**
- j If a dispensation is granted, the Councillor(s) concerned maybe allowed simply to speak on the matter, or to speak and vote on the matter
- k A Councillor to whom a dispensation will apply is not prohibited from taking part in the discussion and voting on the application to grant or refuse the dispensation unless the Council's own Code or Standing Orders so provide (s33(4) Localism Act 2011).

15. CODE OF CONDUCT COMPLAINTS

Upon notification by the District or Unitary Council that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office

Please see the Bisley-with-Lypiatt Parish Council Complaints Policy

16. PROPER OFFICER

- a The Council's Proper Officer is the Clerk
- b The Council's Proper Officer shall:
 - i. **at least three clear days before a meeting of the council, a committee or a sub-committee,**
 - **serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email), and**
 - **Provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**
 - See standing order 3(c) for the meaning of clear days for a meeting of a full council and standing order 3(d) for the meaning of clear days for a meeting of a committee;*
 - ii. subject to standing order 10, include on the agenda all motions in the order received unless a councillor has given written notice at least 5 days before the meeting confirming his withdrawal of it;
 - iii. **convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;**
 - iv. **facilitate inspection of the minute book by local government electors;**
 - v. **receive and retain copies of byelaws made by other local authorities;**
 - vi. Receive and retain declarations of acceptance of office from Councillors.
 - vii. hold a copy of every councillor's register of interests;
 - viii. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
 - ix. liaise, as appropriate, with the Council's Data Protection Officer (if there is one);
 - x. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
 - xi. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic

form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);

- xii. Arrange for legal deeds to be signed by 2 Councillors and witnessed arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
- xiii. Record every planning application notified to the Council as set out in standing order 20
- xiv. refer a planning application received by the Council to the Councillors of the affected Ward within two working days of receipt. Ward meetings will consider the planning application in readiness for the next Council meeting;
- xv. Action or undertake activity or responsibilities instructed by resolution or contained in standing orders

17. RESPONSIBLE FINANCIAL OFFICER

- a The Parish Clerk will undertake the work of the Responsible Financial Officer

18. ACCOUNTS AND ACCOUNTING STATEMENTS

- a "Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils – a Practitioners' Guide".
- b All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.
- c The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
 - i. the Council's receipts and payments (or income and expenditure) for each quarter;
 - ii. the Council's aggregate receipts and payments (or income and expenditure) for the year to date;
 - iii. the balances held at the end of the quarter being reported andwhich includes a comparison with the budget for the financial year and

highlights any actual or potential overspends.

- d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
 - i. each councillor with a statement summarising the Council's receipts and payments (or income and expenditure) for the last quarter and the year to date for information; and
 - ii. to the Council the accounting statements for the year in the form of Section 2 of the annual governance and accountability return, as required by proper practices, for consideration and approval.
- e The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all councillors at least 14 days prior to anticipated approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

19. FINANCIAL CONTROLS AND PROCUREMENT

- a. The Council shall consider and approve financial regulations drawn up by the Responsible Financial 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 and the receipt of regular reports from the internal auditor, which shall be required at least annually;
 - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and
 - v. whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise.
- b. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c. All payments by the Council shall be authorised, approved and paid in accordance with the Council's Financial Regulations
- d. The Parish Council is able to reclaim VAT on purchases made for its own use.

In order for the Council to take advantage of this considerable cost saving, all purchases of a value above £50 are to be made through the Parish Clerk

- e. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds referred to in standing order 18(h) is subject to the “light touch” arrangements under Regulations 109-114 of the Public Contracts Regulations 2015 unless it proposes to use an existing list of approved suppliers (framework agreement).**
- f. Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
 - i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
 - iii. tenders are to be submitted in writing, addressed to the Proper Officer;
 - iv. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee with delegated responsibility.
- g. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- h. **Where the value of a contract is likely to exceed the threshold specified by the Office of Government Commerce from time to time, the Council must consider whether the Public Contracts Regulations 2015 or the Utilities Contracts Regulations 2016 apply to the contract and, if either of those Regulations apply, the Council must comply with procurement rules. NALC's procurement guidance contains further details.**

20. PLANNING

- a. A Councillor from each Ward is to be appointed as Ward Planning Lead by the Parish Council at the Annual General Meeting of the Council or at such other time as may be required.
- b. The Parish Clerk shall maintain a Planning Register holding the following information for each Planning Application made within the Parish:
 - i. The Reference Number
 - ii. The address of the property covered by the Planning Application

- iii. The date received by the Parish Council
 - iv. The date on which the notice of the application was sent to the Ward.
 - v. The date on which the Ward's comments were received
 - vi. The date a response was agreed by the Parish Council - details of the response will be held in the minutes of that meeting
 - vii. The date that response was sent to the Planning Authority
 - viii. The date the Decision Notice was received from the Planning Authority
- c. When notice of a Planning Application is received by the Clerk they shall, as soon as it is received, enter the Reference Number, the address of the property and the date of receipt in the Planning Register
 - d. The Clerk shall refer every Planning Application to the relevant Ward Planning Lead within 2 working days of receipt and shall update the Planning Register with this date
 - e. The Ward Planning Lead will seek the views of Ward Councillors on Applications arising within their Ward, and of the Parish Tree Wardens for tree related applications, and summarise the Ward view (including details of any views expressed by residents to any of the Ward Councillors) together with a list of applicable Planning Policies. This information then is to be sent as feedback to the Parish Clerk
 - f. Each Planning Application will be placed on the agenda for consideration by the full Parish Council at the next available meeting following receipt of the notice of the Application. Copies of the Ward feedback on each Application will be circulated to Councillors as part of the pre-meeting paperwork pack
 - g. If the period between receipt of a Planning Application and date of the next available Parish Council meeting exceeds the time allowed for consultation on the Application, the Clerk will request an extension from SDC. If this is refused the Clerk, in consultation with the Parish Council Chairman (or in his absence the Vice-Chairman), may convene an Extraordinary Meeting of the Parish Council to consider the Application
 - h. Following each Parish Council meeting the Clerk will notify the Planning Authority of the Council's response to each Planning Application considered at that meeting
 - i. Where a Planning Application arising in one Ward has implications which may extend to other Wards within the Parish, or is of a particularly complex nature, the relevant Ward Planning Lead may consult other Ward Planning Leads and reflect their comments in the Ward advice on the Application submitted to the full Parish Council
 - j. If the Parish Council is notified of a Planning Application that is not in Bisley-with-Lypiatt Parish but may have implications that will affect the Parish, it will be considered jointly by the Ward Planning Leads who will make recommendations to the full Parish Council for action
 - k. In the event that a Planning Application is submitted by a Parish Councillor the following procedure is to take effect:
 - i. The Councillor is to notify the Clerk when the Planning Application is submitted to the Planning Authority

- ii. Upon receipt of the Planning Application from the Planning Authority, the Clerk is to register it in the normal way and pass it to the appropriate Ward Planning Lead with a covering note advising that, in accordance with the Council's Code of Conduct, the Councillor Applicant must declare an interest and play no part whatsoever in the decision- making process regarding the Application
 - iii. In the event that the Councillor Applicant is also the Ward Planning Lead the Application is to be notified to the Chairman of the Parish Council who will then appoint a Planning Lead from one of the other Wards in the Parish to liaise with the appropriate Ward Councillors and prepare advice for the full Parish Council. The Councillor Applicant is again to declare an interest and play no part whatsoever in the proceedings
- I. Trees in Conservation Areas:
Formal Parish Council comments on a Notification of Work to Trees in a Conservation Area may be agreed at a meeting of the Ward Committee of the Ward in which the property is located. The Ward Planning Lead is responsible for relaying the comments to Stroud District Council, with a copy to the Parish Clerk, and for reporting the comments to the next following meeting of the Parish Council

21. MATTERS AFFECTING COUNCIL EMPLOYEES

- a A matter personal to a member of staff that is being considered by a meeting of Council is subject to the standing order 12 relating to Management of Information
- b Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the chairman or the vice-chairman] of absence occasioned by illness or other reason and that person shall report such absence to [the Council at its next meeting.
- c The chairman or vice-chairman of the Council shall upon a resolution conduct a review of the performance and annual appraisal of the work of the Clerk. The reviews and appraisal shall be reported in writing and are subject to approval by resolution by the Council.
- d Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior member of staff shall contact the chairman of Council, or the vice-chairman in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of [the Council.
- e Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.

22. RESPONSIBILITIES TO PROVIDE INFORMATION

See also standing order 21.

- 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.**
- d *If gross annual income or expenditure (whichever is the higher) exceeds £200,000* **The Council, shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015**

Please also see the Responsibilities to Provide Information policy document

23. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

(Below is not an exclusive list).

See also standing order 12.

- a The Council may appoint a Data Protection Officer.
- b **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.**
- c **The Council shall have a written policy in place for responding to and managing a personal data breach.**
- d **The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.**
- e **The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.**
- f **The Council shall maintain a written record of its processing activities.**

24. RELATIONS WITH THE PRESS/MEDIA

- a Requests from the press or other media for an oral or written comment or statement from the Council, its councillors or staff shall be handled in accordance with the Council's policy in respect of dealing with the press and/or other media.

25. EXECUTION AND SEALING OF LEGAL DEEDS

See also standing orders 11(a)(viii) and 16(b)(xii).

- a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.

[Subject to standing order 23(a), any two councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.]

26. COMMUNICATING WITH DISTRICT AND COUNTY COUNCILLORS

- a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the ward councillor(s) of the District and County Council representing the area of the Council.
- b Unless the Council determines otherwise, a copy of each letter sent to the District and County Council shall be sent to the ward councillor(s) representing the area of the Council.

27. WARDS

The Parish is comprised of 3 Wards: Bisley, Eastcombe and Oakridge. Each Ward is represented by 4 Councillors. One Councillor shall be elected by the Councillors of each Ward to chair the Ward Committee. The Chairman of the Ward committee may convene Ward Meetings at any time.

28. RESTRICTIONS ON COUNCILLOR ACTIVITIES

- a Unless duly authorised no councillor shall:
 - i. inspect any land and/or premises which the Council has a right or duty to inspect; or
 - ii. issue orders, instructions or directions.

29. STANDING ORDERS GENERALLY

- a All or part of a standing order, except one that incorporates mandatory statutory or legal requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory or legal requirements,

shall be proposed by a special motion, the written notice by at least two thirds of the councillors to be given to the Proper Officer in accordance with standing order 10.

- c The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible.
- d The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final
- e The Clerk shall provide a copy of the Council's standing orders to a Councillor upon delivery of their declaration of acceptance of office.
- f If there is any permanent variation to or revocation of Standing Orders the Clerk shall issue a complete copy of the revised document to all Councillors