



# EYNSFORD PARISH COUNCIL

## Standing Orders

### 1. Organisational Structure

1.1. The highest, executive, tier of the Parish Council shall be known as the Full Council.

1.2. The second tier shall be the Committee tier, within which there shall be four Committees:

- Planning (Full Council);
- Highways (including car parks, street lighting and transportation);
- Recreation (including allotments); and
- Community and Environment.

1.3. The third tier shall be the Sub-committee tier. See Schedule C.

1.4. In addition, Project Teams may be identified from time to time, and approved by the Full Council, to implement projects of finite existence. A list of current projects shall constitute Schedule A to these Standing Orders and be kept up to date.

### 2. Membership

2.1. The Full Council shall consist of all Councillors and only Councillors.

2.2. The Planning Committee shall consist of only Councillors. The Planning Committee may use delegated authority to make planning or tree work responses on behalf of the council when timing is an issue.

2.3. The remaining Committees shall consist of at least three Councillors, plus the Chairman and Vice-chairman of the Full Council as ex-officio members. These Committees may contain non-Councillors, but these will remain in the minority, i.e. no more than four and no more than would bring membership of that Committee to more than eleven.

2.4. Sub-committees shall consist of at least two Councillors, plus the Chairman and Vice-chairman of the Full Council and the Chairman of the governing Committee as ex-officio members. These Sub-committees may contain non-Councillors, but no more than would bring the membership of that Sub-committee to more than nine.

2.5. All nominations for non-Councillor membership of Committees and Sub-committees shall be presented to the Full Council at the Statutory Annual

Meeting for approval. Any proposed additions or deletions to non-Councillor membership shall be approved at the first available Full Council Meeting. Non-Councillors shall not become members of a Committee or Sub-committee prior to this approval.

2.6. Project Teams shall consist of at least two Councillors. These Project Teams may contain non-Councillors and be of any size commensurate to achieving the objectives of the project.

2.7. The Chairmen of Committees, Sub-committees and Project Teams shall maintain an up-to-date register of non-Councillor members as Schedule B to these Standing Orders.

### **3. Reporting Lines**

3.1. All Committees shall submit minutes, containing clear recommendations, to the Full Council for approval. No financial expenditure shall be made prior to this approval. Neither shall policy decisions be followed prior to such agreement.

3.2. All Sub-committees shall submit brief minutes, containing clear recommendations, to their respective governing Committee for approval. These will, in turn, be submitted with the minutes of the Committee, for approval by the Full Council. As regards finance and policy, rule 3.1 will equally apply to Sub-committees.

3.3. As projects are finite by nature and may be subject to tight time scales, they shall report directly to the Full Council, where resolutions may be made. As regards finance and policy, rule 3.1 will equally apply to Project Teams.

### **4. Meetings**

4.1. The Statutory Annual Meeting shall be held immediately prior to the May Full Council Meeting.

4.2. The Statutory Annual Meeting shall in an election year be held on or within 14 days following the day on which Councillors elected take office.

4.3. Full Council Meetings shall be held every month.

4.4. All Council meetings shall be held in Eynsford, and in accordance with statute, normally at 8 p.m., and in any case will not start before 6 p.m. or after 9 p.m.

4.5. Planning Committee Meetings shall be held monthly.

4.6. The remaining Committee Meetings shall be held bi-monthly.

4.7. Sub-committee Meetings shall be held as and when called by the governing Committee and at a time and place appropriate to attendance by the Sub-committee members. Sub-committee Meetings shall not necessarily be open to the general public.

- 4.8. The Project Team members shall hold Project Team Meetings at a time and place appropriate to their attendance. Project Team Meetings will not normally be open to the general public. At the end of a project a special meeting shall be held to wind it down and to recommend to the Full Council how to best make use of the collateral and resources accumulated.
- 4.9. A schedule of Full Council and Committee Meetings, to be held in the next Council year, shall be prepared within one calendar month of the Statutory Annual Meeting. The schedule shall be posted on the Council's notice boards and distributed to all Councillors and Committee members. The schedule may be subject to change by subsequent resolution of the Full Council, provided that the schedule is re-posted more than one calendar month prior to the first meeting that is so affected.
- 4.10. Where matters to be discussed in a Full Council or Committee meeting are deemed to be confidential, sensitive or procedural in nature, a decision may be taken to exclude the public and the press.
- 4.11. The Proper Officer shall issue an agenda to all members of the council at least three clear days<sup>1</sup> before the meeting. This may be sent by electronic mail, unless an individual member chooses not to receive their agenda in this way. In this case, a copy will be made available for collection from the Parish Office.
- 4.12. Notices displaying the date, place and nature of business to be discussed shall be displayed around the parish by the Proper Officer at least three clear days before any meeting of the Full Council or a Committee.

## **5. Chairmanship**

- 5.1. The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.
- 5.2. A Councillor shall chair all Committees, Sub-committees and Project Teams.
- 5.3. The Chairman of the Parish Council, as elected at the Statutory Annual Meeting, shall chair the Full Council. In his/her absence, the Vice-chairman of the Parish Council shall chair these meetings.
- 5.4. The Committee Chairmen as elected at the first Committee Meeting following the Statutory Annual Meeting shall chair the remaining Committees.
- 5.5. The Sub-committee Chairmen as elected at the first Sub-committee Meeting following the governing Committee Meeting following the Statutory Annual Meeting shall chair the Sub-committees. This Chairman shall not necessarily be the same person who chairs the governing Committee.

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<sup>1</sup> 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.

5.6. The Project Manager appointed at the Full Council Meeting at the time of formation shall chair a Project Team.

5.7. In the absence of a Chairman, as described in rules 5.1 to 5.6, the Councillors present shall elect a Chairman from amongst themselves as the first item of business. In the absence of an eligible Councillor the meeting will be postponed.

## **6. Proper Officer**

6.1. If any statute, regulation or order confers any functions or imposes any duties upon the Proper Officer of the council, the Parish Clerk shall be the Proper Officer and carry out those functions and duties, except where some other person shall have been duly appointed by the Full Council as the Proper Officer.

6.2. The Proper Officer may make a planning response, only where councillors are unable to meet at a scheduled meeting or an extraordinary meeting; and, that the Proper Officer may respond to tree work applications or TPO proposals on behalf of the council subject to consultation with Eynsford's Tree Warden, whenever there is insufficient time for the Council to respond.

## **7. Quorum**

7.1. Four members shall constitute a quorum at meetings of the Council. Resolutions may only be made where a quorum exists.

7.2. If a quorum is not present at a Full Council Meeting, either at the start of or during a meeting, then only recommendations may be made. A resolution will then be necessary at the next quorate Full Council Meeting to adopt these recommendations.

7.3. A motion to suspend these standing orders, except those that are compulsory and laid down by Acts of Parliament, shall not be moved without a written notice signed by five members.

## **8. Voting**

8.1. All members shall vote on a proposed and seconded resolution by show of hands or, at the discretion of the Chairman, by secret ballot.

8.2. In the case of an equality of votes, the relevant Chairman may give a casting vote.

8.3. If a member so requires, the Clerk shall record the way in which that member has voted on a resolution, so as to show whether that member voted for or against it.

8.4. If the person presiding at the Statutory 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 or she may not give an original vote in an election for Chairman.

8.5. The Chairman and Vice-chairman ex-officio shall be voting members of every Committee.

## **9. Order of Business**

9.1. At each Statutory Annual Meeting the order of business shall be as shown below, and reflected in the agenda.

- Election of Chairman
- Election of Vice-chairman
- Signing of Declarations of Acceptance of Office, or deciding when these shall be received
- Filling of any vacancies left unfilled in an election year, or deciding on a course of action to fill any vacancies
- Signing of any written undertakings to observe the code of conduct adopted by the Council which have not been received
- Appointment of members to serve on the Committees
- Nominations for non-Councillor membership of Committees
- Appointment of representatives to outside bodies
- Appointment of charity trustees
- Dates of future meetings

9.2. At every meeting other than the Statutory Annual Meeting, the first business shall be to appoint a Chairman if the Chairman and Vice-chairman be absent.

9.3. At each Full Council Meeting the order of business shall be as shown below, and reflected in the agenda.

- Apologies for Absence
- Chairman's Remarks
- Governance, including Declarations of Acceptance of Office, the filling of any vacancies, the signing of any written undertakings to observe the code of conduct, Declarations of Interest, approval and signing of previous minutes, acceptance of accounts and receipt of the annual report of the Internal Auditor, and proposed amendments to standing orders, and any other business expressly required by statute
- Planning
- Community and Environment
- Highways, including car parks, street lighting and transportation
- Recreation, including allotments

9.4. Project related items should be included under the agenda heading associated with the most appropriate Committee.

9.5. A decision to vary the order of business on the grounds of urgency, or in the interest of guests or members of the public present, may be taken by the Chairman.

## **10. Code of Conduct**

- 10.1. The Clerk will compile and hold a Register of Members Interests, or a copy thereof, in accordance with agreement reached with the Monitoring Officer of the Responsible Authority. Councillors must, within 28 days of taking office as a member or co-opted member, notify the monitoring officer of any disclosable pecuniary interest.
- 10.2. If a member has a non-pecuniary interest as defined by the Code of Conduct adopted by the Council on 20<sup>th</sup> September 2012 then he or she shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required.
- 10.3 Where a member has a pecuniary interest in any business of the Council,
  - (a) they 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 allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.
  - (b) they must withdraw from the room where a meeting considering the business is being held immediately after making representations, answering questions or giving evidence (where (a) applies); otherwise whenever it becomes apparent that the business is being considered at that meeting.
- 10.3. All members must observe the Code of Conduct which was adopted by the Council.
- 10.4. If a member reasonably believes another member is in breach of the Code of Conduct, that member is under duty to report the breach to the local authority Monitoring Officer in the first instance.

## **11. Expenditure**

- 11.1. Orders for the payment of money shall be authorised by resolution of the Council and signed by two members.
- 11.2. Where it is necessary for the Clerk to make a payment before it has been authorised by the Council, such payment shall be limited to £150. Councillors shall require authorisation from the Chairman of the Council or, in his or her absence, the Vice-chairman but the limit of such expenditure shall be £50.  
In a case of risk to health or safety to an employee, a contractor or a member of the public, and when immediate action is required, the Clerk may approve expenditure of up to £1000 with the agreement of the Chair or Vice Chair and one other councillor in order to mitigate the risk.

## **12. Meeting Minutes**

- 12.1. All members shall receive copies of all minutes of all Full Council Meetings, Committee meetings and Sub-committee meetings.

### **13. Financial Matters**

- 13.1. Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £50,000 shall be procured on the basis of a formal tender as summarised below:
- A. A public notice of intention to place a contract to be placed in a local newspaper.
  - B. A specification of the goods, materials, services and the execution of the works shall be drawn up.
  - C. Tenders are to be sent, in a sealed marked envelope, to the Clerk by a stated date and time.
  - D. Tenders submitted are to be opened, after the stated closing date and time, by the Clerk and at least one member of the Council.
  - E. Tenders are then to be assessed and reported to the appropriate meeting of the Council.
- 13.2. The Council is not bound to accept the lowest tender, estimate or quote but will seek to achieve best value.

### **14. Standing Orders**

- 14.1. A copy of these Standing Orders shall be given to each member by the Clerk upon delivery to him or her of the member's declaration of acceptance of office and written undertaking to observe the Code of Conduct adopted by the Council.