

MILNTHORPE PARISH COUNCIL

STANDING ORDERS

(March 2025)

MEETINGS

1. **Meetings of the Council** – shall normally be held on the first Monday of each month at 7.00pm, to be determined in advance in the annual Calendar of Meetings but may subsequently be varied with the agreement of members. Notice to members may be by email.
2. **Statutory Annual Meeting -**
 - (a) **In an election year shall be held on, or within, 14 days following the day on which the Councillors take office.**
 - (b) **In a year which is not an election year shall be held on any weekday during the month of May**
3. **Monthly Meetings**

Shall be held in each month of the year, except for August. In the month of May this will normally take place as an extension of the Annual Meeting and in other months, shall normally be on the first Monday in the month unless this falls on a Bank Holiday, when it shall be deferred by one week. These dates may be changed or cancelled, subject to the legal requirement for a minimum of four meetings per year, including the Annual Meeting. Extra meetings can be included at the Chair’s discretion, subject to approval by the majority of the members.
4. **Chairman of the Meeting**

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

PROPER OFFICER

5. Where a statute, regulation or order confers functions or duties on **the proper officer** of the Council in the following cases, he shall be the Clerk:
 - a) To receive declarations of acceptance of office.
 - b) To receive and record notices disclosing pecuniary interests.
 - c) To receive and retain plans and documents.
 - d) To sign notices or other documents on behalf of the Council.
 - e) To receive copies of byelaws made by a District Council.
 - f) To certify copies of byelaws made by the Council.
 - g) To sign a summons to attend meetings of the Council.
 - h) To keep proper records for all Council meetings.

In any other case the proper officer shall be the person nominated by the Council and, in default of nomination, the Clerk.

QUORUM

6. **Three members shall form a Quorum**
7. If a quorum is not present when the Council meets, or if during a meeting the number of Councillors present and not debarred by reason of a declared pecuniary interest falls below the quorum, the business not transacted at that meeting shall be transacted at the next meeting or on such day as the Chairman may fix.
8. The quorum for a committee or sub-committee shall be 50% of its members.

VOTING

9. Members shall vote by show of hands or, if at least two members request, by a signed ballot.
10. **If a member so requires, the Clerk shall record the names of the Members who voted on any question to show whether they voted for or against it.**
11. **i) Subject to ii) and iii) below, the Chairman may give an original vote on any matter put to the vote and, in the case of an equality of votes may give a casting vote whether or not he gave an original vote.**
ii) 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
iii) The presiding person MUST give a casting vote whenever there is equality of votes for Chairman
iv) Members may agree to a secret vote or accept a postal vote where they consider it appropriate

MEETING ORDER OF BUSINESS

In an election year Councillors should execute Declarations of Acceptance of Office in each others' presence or in the presence of a proper officer previously authorised by the Council to take such declarations before the annual meeting commences.

12. At each Annual Meeting the first business shall be:
 - a) **To elect a chairman**
 - b) **To receive the Chairman's Declaration of Acceptance of Office or, if not then received, to decide when it shall be received.**
 - c) **In the ordinary year of election of the Council to fill any vacancies left unfulfilled at the election by reason of insufficient nominations.**
 - d) **To decide when any Declarations of Acceptance of Office, which have not been received as provided by law, shall be received.**
 - e) To elect a Vice-Chairman

- f) To receive apologies for absence.
 - g) To appoint representatives to outside bodies.
 - h) To appoint committees and sub-committees.
 - i) To consider the payment of any subscriptions that are paid annually.
 - j) To inspect any deeds and trust instruments in the custody of the Council: and thereafter shall follow the order set out in Standing Order 15.
13. **At every meeting other than the Annual Meeting, the first business shall be to appoint a Chairman if the Chairman and Vice Chairman be 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 not received, to decide when they shall be received**
14. The pay and conditions of existing employees of the Council shall be reviewed annually not later than the meeting at which the financial estimates for the next year are settled.
15. After the first business has been completed, the order of business, unless the Council decides otherwise for example, on the grounds of urgency, shall be as follows:
- a) To receive apologies for absence.
 - b) 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.
 - c) **After consideration to approve the signature of minutes by the presiding Chairman as a correct record**
 - d) To receive such communications as the presiding chairman may wish to lay before the Council.
 - e) To receive any declarations of interest from members in respect of items on the agenda.
 - f) **To deal with business expressly required by statute to be done.**
 - g) To deal with matters arising from the minutes (as specified and itemized) and not included elsewhere on the agenda.
 - h) To answer questions from Councillors.
 - i) To receive and consider reports from officers of the Council.
 - j) To consider motions or recommendations in the order in which they have been notified.
 - k) To authorise the signing of orders for payment.
 - l) To receive and consider reports and minutes of committees and sub-committees.
 - m) To dispose of business, if any, remaining from earlier meetings (as specified & itemized)
 - n) To authorize the signing of documents.

A motion to vary the order of business (e.g. on the grounds of urgency) may be proposed by the Chairman or by any member and, if proposed by the Chairman, may be put to the vote without being seconded. Such a proposition shall be put to the vote without discussion.

16. Resolutions moved on notice – except as provided in these Standing Orders, no resolution may be moved unless the business to which it relates has been put on the agenda by the Clerk, or the mover has delivered it to the Clerk at least 14 days before the next meeting of the Council. Every such resolution shall be numbered and entered in a book by the Clerk together with the date of receipt, and this book shall be open to inspection by every member of the Council. Any such resolutions shall be inserted in the summons for the next Council meeting in the order in which they have been received but, unless actually moved at that meeting or postponed by the Council, shall be treated as withdrawn and not subsequently moved without fresh notice. Every resolution or recommendation shall be relevant to some subject over which the Council has powers or duties which affect its area.

EXPENDITURE

17. The financial transactions of the Council shall be conducted in accordance with the adopted Financial Regulations.

VOTING IN COMMITTEE

18. **Chairmen of Committees and Sub-Committees shall in the case of votes have a second and casting vote**

INTERESTS

19. **The Clerk shall record particulars of any notice given by any Member or any Officer of the Council of a Pecuniary Interest in a contract and these shall be open during reasonable hours of the day for inspection by a Member**
20. If any member has a non-pecuniary interest within the National Code of Local Government Conduct he shall declare it and thereupon be invited to withdraw from the meeting.
21. If a candidate for any appointment under the Council is to his knowledge related to any member of or the holder of any office under the Council, he and the person to whom he is related shall disclose the relationship in writing to the Clerk. A candidate for any appointment who fails to do so, shall be disqualified for such appointment, and, if appointed, may be dismissed without notice. The Clerk shall report to the council or to the appropriate committee any such disclosure. Where a relationship to a member is disclosed Standing Order 19 shall apply. The Clerk shall make known the purport of this Standing Order to every candidate.
22. (a) Canvassing of members of the Council or of any committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment The Clerk shall make known the purpose of this sub-paragraph of this Standing Order to every candidate.
(b) A member of the Council or of any committee shall not solicit for any person appointment under the Council or recommend any person for such appointment or for promotion; but, nevertheless, any such member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.

Standing Orders Nos. 21 and 22 shall apply to tenders as if the person making the tender were a candidate for an appointment.

INSPECTION OF DOCUMENTS

23 a) **All minutes kept by the Council and by any Committee shall be open for inspection by any member of the Council.**

b) The minutes of the Council shall be open to inspection by any elector.

ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

24. **The Public and the Press shall be admitted to all meetings of the Council, Committees and Sub-Committees. However, the Public or the Pressor both may be temporarily excluded by means of the following resolution:**

“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 press or the public, or both press and public, be temporarily excluded and they are instructed to withdraw”.

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

26. It is agreed by the Parish Council that an agenda item is included whereby members of the public may participate in the meeting. This is only regarding matters included on the agenda. This contribution is limited to 3 minutes per participant. This item, entitled ‘Public Participation’ should include any reports from County Councillors.

LIAISON WITH COUNTY COUNCILLORS

27. A notice of the meeting shall be sent together with an invitation to attend to the County Councillor.

PLANNING APPLICATIONS

28. The Clerk shall, as soon as it is received, enter in a document kept for the purpose, the following particulars of every planning application notified to the Council:

- i) the date on which it was received.
- ii) the name of the applicant.
- iii) the place to which it relates.
- iiii) a summary of the nature of the application.

29. The Clerk shall refer every planning application to the planning sub-committee within 48 hours of receiving it.

VACATION OF OFFICE BY A FAILURE TO ATTEND MEETINGS

30. If a Councillor fails throughout a period of six consecutive months from the date of his last attendance to attend any meeting of the Council, they cease to be a member of the Council, unless the failure was due to some reason approved by the Council before the expiry of that period. (Subject also to Section 85 sub sections (2) and (3) of the Local Government Act 1972).

VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

- 31. Any part of the Standing Orders except those in **Bold Type** may be suspended by resolution in relation to any specific item of business.
- 32. A motion permanently to vary or revoke a Standing Order shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.
- 33. These Standing Orders shall be reviewed annually, in the month of April, and amended as required.
- 34. URGENT ITEMS – Matters of urgency, as determined by the Proper Officer, generally where a decision is required prior to the next meeting of the Council, shall see a decision made by the Proper Officer, subject to a written discussion with a quorate number of members of the Council.

STANDING ORDERS TO BE GIVEN TO MEMBERS

- 35. A copy of these Standing Orders shall be given to each member by the Clerk upon delivery to him of the member’s declaration of acceptance of office.

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