

Wymeswold Parish Council and Burial Board Procedural Standing Orders

1. Meetings:

The meetings of Wymeswold Parish Council (the Council) shall be held at such places, on such dates and at such times as may be fixed by Council. There will be 11 meetings in the year which will be held monthly (except for August), and will normally be on the first Monday of the month at 7.00 pm. Any change to the date or time of the meeting must be agreed by the Chair and Vice Chair, and all Councillors must be given at least 7 days' notice of such a change..

- 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. The minimum 3 clear days for notice of a meeting does not include the day on which the notice was issued, the day of the meeting, a Sunday, a day of the Christmas or Easter break or of a Bank Holiday or a day appointed for public thanksgiving or mourning.
- c. 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 it.
- d. The press shall be allowed reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present. If a member of the public interrupts the proceedings at any meeting, the Chair may, after warning, order that they leave the meeting.
- e. The public will be given an opportunity to speak at the beginning of a meeting in line with the agenda, after the meeting is opened by the Chair. The period designated for public participation at a meeting shall be 15 minutes unless directed by the Chair. Where several people attend for the same issue or purpose, one representative of the group should be selected by the group to speak on behalf of the whole group. Where a member wishes to give a presentation or speech to the Council this will normally be limited to a maximum of 5 minutes, albeit that the Chair may allow an overrun at their discretion. A question shall not require a response at the meeting nor start a debate on the question. The Chair may direct that a written or oral response be given.
- f. In addition, the Chair may at their discretion and at a convenient time in the transaction of the business adjourn the meeting to allow any members of the public to address the meeting in relation to the business to be transacted at that meeting.
- g. All requests put to or made of the Council by members of the public shall be recorded in the minutes, and any decisions given, or actions agreed as a consequence will be recorded. The names of members of the public attending meetings and/or raising issues at the meeting or in writing shall be recorded in

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the minutes only if verbal or written consent is given to the Council by those members of the public it concerns.

- h. 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.
- i. A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission from the Council.
- j. Anything authorised or required to be done by, to or before the Chair of the Council may in their absence be done by, to or before the Vice Chair of the Council.
- k. The Chair of the Council, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice Chair of the Council if present, shall preside. If both the Chair and Vice Chair are absent from the meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting. The person presiding over the meeting may exercise all the powers and duties of the Chair in relation to the conduct of the meeting.
- l. Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the Councillors present.
- m. The Chair may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise their casting vote (whether or not they gave an original vote).
- n. 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 their vote for or against that question.
- o. A Councillor 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 their right to participate and vote on the matter.
- p. Dispensation requests shall be in writing and submitted to the Proper Officer (Clerk) as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- q. A dispensation may be granted if: without the dispensation the number of persons prohibited from participating in the particular business would be so great

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as to impede the transaction of the business; granting the dispensation is in the interests of persons living in the Council's area; or it is otherwise appropriate to grant a dispensation.

- r. No business may be transacted at a meeting unless a third of the whole number of Council members are present and in no case shall the quorum of a meeting be less than 3.
- s. 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, ideally the next scheduled meeting.
- t. Meetings shall be scheduled to end at 9.00 pm. Any unfinished business will be deferred to the following meeting and placed on the next agenda..

2. Committees and Sub-Committees:

- a. Unless the Council determines otherwise, a committee may appoint a sub-committee 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 an advisory committee may be non-councillors.

3. Rules of Debate at Meetings:

- a. Items on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the Chair of the meeting.
- b. An item (including an amendment) shall not be progressed unless it has been moved and seconded.
- c. An item on the agenda that is not moved by its proposer may be treated by the Chair of the meeting as withdrawn.
- d. An amendment is a proposal to remove or add words to an item. It shall not negate the item.
- e. An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the Chair of the meeting, is expressed in writing to the Chair.

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- f. Items on the agenda requiring a decision should normally be circulated as a document to all Councillors alongside the agenda prior to the meeting. Councillors are expected to read the circulated document so they can formulate an opinion.
- g. One or more amendments to items on the agenda may be raised by a Councillor and may be discussed together if the Chair considers this expedient, but each amendment shall be voted on separately.
- h. Resolutions on procedural matters may be approved without notice, including those to vary the order of business on the grounds of urgency or procedural efficiency.

4. Disorderly Conduct at Meetings:

- a. All Councillors must observe the Members' Code of Conduct that was agreed by the Council.
- b. No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this occurs, the Chair shall request such person(s) to improve their conduct and can exclude such person(s) from the meeting.
- c. If this is ignored, the Chair of the meeting may take further reasonable steps to restore order or progress the meeting. This may include suspending or closing the meeting.
- d. If a member reasonably believes another member is in breach of the Members' Code of Conduct, that member is under a duty to report the breach to the Monitoring Officer of the District Council.
- e. Upon notification by the District Council that a Councillor has breached the Council's Code of Conduct, the Council shall consider what, if any, action to take against them. Such action excludes disqualification or suspension from office.

5. Annual 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.

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- c. The first business conducted at the annual meeting of the Council shall be the election of the Chair and Vice Chair of the Council.
- d. The Chair 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.
- e. The Vice Chair of the Council, unless they resign or become disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.
- f. In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, they shall preside at the annual meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but shall give a casting vote in the case of an equality of votes.
- g. In an election year, if the current Chair of the Council has been re-elected as a member of the Council, they shall preside at the annual meeting until a new Chair of the Council has been elected. They may exercise an original vote in respect of the election of the new Chair of the Council and shall give a casting vote in the case of an equality of votes.
- h. In an election year, following the election of the Chair and Vice Chair at the annual meeting, the business shall include delivery by the Chair and Councillors of their Acceptance of Office forms, unless the Council resolves for this to be done at a later date.
- i. In a year which is not an election year, the business shall include delivery by the Chair of their Acceptance of Office form unless the Council resolves for this to be done at a later date.

6. Extraordinary Meetings of the Council:

- a. The Chair of the Council may convene an Extraordinary Meeting of the Council at any time. The summons shall be signed by the Chair.
- b. If the Chair of the Council does not call an Extraordinary Meeting of the Council within 7 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.

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7. Voting on Appointments:

Where more than 2 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 Chair exercising their casting vote.

8. Items for a Meeting that require written notice to be given to the Proper Officer (Clerk):

- a. An item 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 item may be discussed at a meeting unless it is on the agenda. Written notice of an item to be placed on the agenda must be given the Clerk at least a week prior to the agenda being published.
- c. If the wording or subject of a proposed item is considered improper, the Clerk shall consult with the Chair, to consider whether the motion shall be included in the agenda or rejected.
- d. The decision of the Clerk as to whether or not to include the motion on the agenda shall be final.

9. Meeting Minutes:

Meeting minutes from the previous meeting, if approved by the Council as an accurate record must be signed by the Chair of the meeting. Corrections to the previous meeting's minutes shall be made by resolution and must be initialled by the Chair. The minutes should record in summary form sufficient detail to clarify the nature of the debate and resolution made and is not a verbatim account.

The minutes of a Council 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.

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- iv. the grant of dispensations (if any) to Councillors.
- v. whether a Councillor left the meeting when matters that they held interests in were being considered.
- vi. if there was a public participation session.
- vii. the resolutions made.

10. Management of Information:

- 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.
- 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.
- 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 and staff shall not disclose confidential information or personal data without legal justification to any person not on the Council; this includes salaries of paid staff.

11. Proper Officer:

The Proper Officer shall be either the Clerk or other staff nominated by the Council to undertake the work of the Proper Officer when they are absent.

The Proper Officer (Clerk) shall:

- i. At least 3 clear days before a Council meeting email a signed summons confirming the time, place, and agenda, and provide, in a conspicuous place, public notice of the time, place and the agenda. The agenda will also be emailed to all Councillors.
- ii. Include on the agenda all items in the order received.
- iii. Convene a meeting of the Council for the election of a new Chair of the Council, occasioned by a casual vacancy in their office.
- iv. Hold Acceptance of Office forms from Councillors.

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- v. Hold a copy of every Councillor's Register of Members Interests. These are published on the District Council's website and a link to them will be placed on the village website.
- vi. To take and keep proper records of all Council meetings (minutes).
- vii. Liaise, as appropriate, with the Council's Data Protection Officer.
- viii. Receive and send correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
- ix. Arrange the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its Financial Regulations.
- x. Refer planning applications received by the Council to the Councillors promptly to facilitate an Extraordinary Meeting if the nature of a planning application requires consideration before the next Council meeting.
- 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.
- xii. Sign each new Grant of Right of Burial document for Wymeswold Cemetery and obtain 2 Councillor's signatures on the same document.

12. Responsible Financial Officer:

- a. The Council shall appoint an appropriate staff member to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.
- b. The Responsible Financial Officer shall supply to each Councillor quarterly a financial report summarising income and expenditure and balances following bank reconciliation.
- c. As soon as possible after the financial year end on 31st March, the Responsible Financial Officer shall provide 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.
- d. The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (income and expenditure) for the year to the 31st March. 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 the 30th June.

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13. Financial Controls and Procurement:

The Council shall consider and approve Financial Regulations drawn up by the Responsible Financial Officer, which should 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.

Financial regulations shall be reviewed regularly and at least annually for fitness of purpose. These regulations are contained in the separate WPC Financial Regulations document.

14. Responsibilities to provide information:

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.

15. Responsibilities under Data Protection Legislation:

- a. The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning their personal data.
- b. 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.
- c. The Council shall ensure that information communicated in its privacy notice is in an easily accessible and available form and kept up to date.

16. Communicating with District and County Councillors:

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An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the Councillor(s) of the District and County Council representing the area of the Council.

They may be permitted to speak at the Council meeting at the discretion of the Chair.

17. Standing Orders in General:

- 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. Any motion to add to, vary or revoke one or more of the Council's Standing Orders, except one that incorporates mandatory statutory or legal requirements, shall when proposed and seconded by a Councillor, be adjourned to the next Council meeting and be an item on that subsequent agenda.
- c. The Clerk shall provide a copy of the Council's Standing Orders to each Councillor as soon as possible following any update, or upon election to the Council.
- d. The decision of the Chair of a meeting as to the application of Standing Orders at the meeting shall be final.
- e. If, in approving a quote for works by a contractor, the Council deems it a requirement to request Disclosure and Barring Service (DBS) information, it may do so from that contractor.
- f. If a course of action is needed to be taken without delay outside of a Council meeting (eg. contacting the police, arranging execution of urgent repairs to Council premises), this can be dealt with by the Clerk or a Councillor with reference to Section 3c of the Wymeswold Parish Council Financial Regulations document.

The Wymeswold Parish Council and Burial Board Procedural Standing Orders Policy was approved at the Wymeswold Parish Council meeting on Monday 4th March 2024. Next Policy Review date March 2025.