

Sustead with Bessingham and Metton Parish Council

STANDING ORDERS

These Standing Orders are based on NALC Model Orders, updated in 2025 and are modified to suit a smaller council.

Bold type signifies orders which contain legal and statutory requirements so must be retained.

Note the Clerk is referred to as “The Proper Officer” and is also “The Responsible Financial Officer.”

Reviewed August 2025

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 Chair of the meeting
- b.** A motion (including an amendment) must have a proposer and a seconder.
- c.** An amendment is a proposal to remove or add words to a motion. It shall not negate the motion
- d.** One or more amendments may be discussed together if the Chair of the meeting considers this expedient but each amendment shall be voted on separately.
- e.** A point of order shall be decided by the Chair of the meeting and their decision shall be final.
- f.** Before an original or substantive motion is put to the vote, the Chair of the meeting shall be satisfied that the motion has been sufficiently debated.

2. DISORDERLY CONDUCT AT MEETINGS

- a.** No persons shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the Chair of the meeting shall request such person(s) to moderate or improve their conduct.
- b.** If person(s) disregard the request of the Chair of the meeting to moderate or improve their conduct, any councillor or the Chair of the meeting may move that the person be no longer heard or excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.

3. MEETINGS GENERALLY

- 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 three clear days for notice of a meeting does not include the day on which notices 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.
- c.** 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.

- d. 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.**
- e. An agenda item on Public Participation allows Members of the Public make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.**
- f. The period of time designated for public participation at a meeting shall not exceed 10 minutes unless directed by the Chair of the meeting.**
- g. A question asked by a member of the public need not be answered or start a debate. The Chair of the meeting may direct that a written or oral response be given.**
- h. Any person who speaks at a meeting shall direct their comments to the Chair of the meeting.**
- i. 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.**
- j. A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
- k. 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.**
- l. Subject to standing orders which indicate otherwise, 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 (if there is one.)**
- m. 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 there is one) if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside the meeting.**
- n. 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.**

- o. The chair 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 their casting vote whether or not they gave an original vote.**
- p. Unless standing orders provide otherwise, voting on a question shall be 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. Such a request shall be made before moving on to the next item of business on the agenda.**
- q. 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;**
 - iv. The grants of dispensation (if any) to councillors;**
 - v. Whether a councillor left the meeting when matters that they held interests in were being considered;**
 - vi. The resolutions made.**
- r. 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 their right to participate and vote on that matter.**
- s. 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.**
- t. 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.**

4. 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 and a sub-committee of the advisory committee may be non-councillors.**

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 general 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 Chair and Vice-Chair (if there is one) of the Council.**
- f. 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.**
- g. The Vice-Chair of the Council, if there is one, 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.**
- h. 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 equality of votes.**
- i. 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.**
- j. Following the election of the Chair of the Council and the Vice-Chair (if there is one) of the Council at the annual meeting, the business shall include:**
 - i. In an election year, delivery by the Chair 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 Chair 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.** Review of inventory of land and other assets including buildings and office equipment;
- iv.** In an election year review the Council's eligibility to execute General Power of Competence;
- v.** Confirmation of arrangements for insurance cover in respect of all insurable risks;
- vi.** Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.

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

- a.** The Chair of the Council may convene an extraordinary meeting of the Council at any time.
- b.** If the Chair 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.

7. PREVIOUS RESULTIONS

- a.** A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least **three** councillors to be given to the Proper Officer in accordance with standing order 9.

8. 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 of 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 Chair of the meeting.

9. MOTIONS FOR A MEETING THAT REQUIRE WRITTEN NOTICE TO BE GIVEN TO THE PROPER OFFICER

- a. A motion 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 shall 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 at least **7 clear days before the meeting**. Clear days do not include the day or the notice of the day of the meeting.

10. MOTIONS AT MEETING THAT DO NOT REQUIRE WRITTEN NOTICE

- a. The following motions may be moved at a meeting without written notice to the Proper Officers:
 - i. To correct an inaccuracy in the draft minutes of a meeting;
 - ii. To move to a vote;
 - iii. To defer consideration of a motion;
 - iv. To appoint a person to preside at a meeting;
 - v. To change the order of business on the agenda;
 - vi. To proceed to the next business on the agenda;
 - vii. To require a written report;
 - viii. To appoint a committee or sub-committee and their members
 - ix. To extend the time limits for speaking:
 - x. To exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest;
 - xi. To not hear further from a councillor or a member of the public;
 - xii. To exclude a councillor or member of the public for disorderly conduct;
 - xiii. To temporarily suspend the meeting;
 - xiv. To suspend a particular standing order (unless it reflects mandatory statutory or legal requirements)
 - xv. To adjourn the meeting;
 - xvi. To close the meeting.

11. MANAGEMENT OF INFORMATION

- a. **The Council shall have in place and keep under review, technical and organisational measure 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 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 (eg the Limitation Act 1980.)**
- c. **The agenda, papers that support the agenda and the minutes of the 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.**

12. DRAFT MINUTES

- 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 the preceding meeting except in relation to their accuracy.
- c. The accuracy of the draft minutes, including any amendments made to them, shall be confirmed by resolution and shall be signed by the Chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d. If the Chair of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, they shall sign the minutes and include a paragraph to that effect.
- e. **If the Council's gross annual income or expenditure (whichever is the 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 one month after the meeting has taken place.**

13. CODE OF CONDUCT AND DISPENSATIONS

- a. All councillors shall observe the code of conduct adopted by the Council.
- b. Unless they have been granted a dispensation, a councillor shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. They may return to the meeting after it has considered the matter in which they had an interest.
- c. A dispensation request shall confirm:

- i. The description and the nature of the disclosable pecuniary interest to which 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.
- d. **Dispensations requests shall 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.
- e. A decision as to whether to grant a dispensation shall be made by the meeting of the Council.
- f. **A dispensation may be granted in accordance with standing order 13d 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 dispensation is in the interests of persons living in the Council's area; or**
 - iii. **It is otherwise appropriate to grant a dispensation**

14.CODE OF CONDUCT COMPLAINTS

- a. **Upon notification by the Principal 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 them. Such action excludes disqualification or suspension from office.**

15.PROPER OFFICER

- a. The Clerk shall be the Proper Officer.
- b. The Proper Officer shall:
 - i. **At least three clear days before a meeting of the Council or committee**
 - 1. **Serve on councillors by delivery or post at their residence 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**
 - 2. **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).**

- ii. **Facilitate inspection of the minute book by local government electors;**
- iii. **Receive and retain copies of byelaws made by other local authorities**
- iv. Carry out all roles and responsibilities contained within their job description.

16. RESPONSIBLE FINANCIAL OFFICER

- a. The Clerk shall also be the Responsible Financial Officer and carry out the duties defined in their job description.

17. ACCOUNTS AND ACCOUNTING STATEMENTS

- a. "Proper practises" 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

18. FINANCIAL CONTROLS AND PROCUREMENT

- a. The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer.
- b. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose
- c. **Where the value of a contract is likely to exceed the threshold specified by the Government from time to time, the Council must consider whether the contract is subject to the requirements of the current procurement legislation and, if so, the Council must comply with procurement rules. NALC's procurement guidance contains further details.**

19. HANDLING STAFF MATTERS

- a. A matter personal to a member of staff that is being considered by a meeting of the Council is subject to standing order 11.
- b. 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.

20. RESPONSIBILITIES TO PROVIDE INFORMATION

- 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.**

- b. The Council shall publish information in accordance with the requirements of the Smaller Authorities (Transparency Requirements) (England) Regulations 2015.

21. 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 have a written policy in place for responding to and managing a personal data breach.
- c. The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach and the remedial action taken,
- d. 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.
- e. The Council shall maintain a written record of its processing activities.

22. RELATIONS WITH THE PRESS/MEDIA

- a. Requests from the press or other media for an oral or written comment from the Council, its councillors or staff shall be handled by the **Chairman and Clerk**

23. EXECUTION AND SEALING OF LEGAL DEEDS

- a. A legal deed shall not be executed on behalf of the Council unless authorised by resolution.
- b. **Subject to standing order 23a any two councillors may sign, on behalf of the Council , any deed required by law and the Proper Officer shall witness their signatures.**

24. COMMUNICATING WITH DISTRICT AND COUNTY OR UNITARY COUNCILLORS

- a. An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the ward councillor of the District and County Council.

25. RESTRICTION ON COUNCILLOR ACTIVITIES

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

26. 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 at a meeting.
- b.** The decision of the Chair of a meeting as to the application of standing orders at the meeting shall be final.