



**DARNHALL
PARISH COUNCIL
STANDING ORDERS**

MAY 2021

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1. Meetings

Darnhall Parish council shall meet on the third Tuesday of every other month at Darnhall Village Hall, Hall Lane, Darnhall, Cheshire CW7 4DE at 7.30pm. If a meeting cannot take place for whatever reason at Darnhall Village Hall another suitable premises must be found.

The minimum three clear days for notice of 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.

2. Annual Parish Assembly

This is a meeting of the electorate and is not a parish council meeting. This meeting must take place annually between the 1st March and the 1st June. Darnhall Parish Council usually hold this meeting towards the end of May in Darnhall Village Hall, Darnhall.

3. Annual Parish Council Meeting.

In a year which is not an election year, the annual meeting of a council shall be held on such day in May as the council may direct.

In an election year the annual meeting of the council shall be on or within 14 days following the day on which the new councillors elected take office.

In addition to the annual meeting at least three other ordinary meetings shall be held in each year on such dates and times of the council may direct.

4. Chairman

The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice Chairman, 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.

5. Quorum

A quorum is three members or one third of the total membership whichever is the greater. For Darnhall Parish Council this would be three. If a quorum is not present at a meeting the meeting shall be adjourned and business not transacted shall be transacted at the next meeting or on such other day as the Chairman may fix.

6. Voting

If a vote is to be taken at a meeting this will be done by a show of hands. On request of any member of Darnhall Parish Council, voting on any question may be recorded in the minutes so as to show whether each member present and voting, gave his/her vote for or against that question. Such a request can be made before or after a vote has taken place but in any event before moving on to the next business.

The Chairman has two votes, his/her own and the casting one. If the person presiding at the Annual Parish Council Meeting ceased to be a member of the Darnhall Parish council but for the statutory provisions which preserve the membership of the Chairman and Vice- Chairman

until the end of their term of office, s/he may not give an original vote in an election for Chairman.

7. Order of Business

Annual Parish Council Meeting

- a) The first business shall be to elect the Chairman and receive the Chairman's declaration of acceptance of office.
- b) In an ordinary election year of the Darnhall Parish Council to fill any vacancies not filled.
- c) Elect a Vice-Chairman.
- d) Councillors to fill in their declaration of acceptance of office before/at the first meeting of the Darnhall Parish Council. The declaration must be made in the presence of a member of the council or the Proper Officer (Clerk) of the Council and if he/she fails to do so his/her office shall become vacant.
- e) Election of officers.
- f) Appoint to committees and sub committees.
- g) Receive the final year-end accounts and sign them and the receipt/payment book and petty cash book.

Ordinary Meeting

- a) To listen to any issues raised by members of the public present at the meeting.
- b) Apologies and reason for absence. The reason for the absence to be recorded in a separate book as well as the minutes.
- c) Disclosure of declarations of interest. A councillor must declare any pecuniary interest in line with Code of Conduct in an item upon the agenda at the start of the meeting and is not allowed to take part in any discussion or voting on that particular item. The Clerk must also record this interest not only in the minutes but also in a book of declared interests.
- d) To sign the minutes as a correct record by the person presiding the meeting.
- e) To deal with matters arising from previous meeting.
- f) To receive the Chairman's Report.
- g) To receive and agree to the ledger and bank reconciliation. To agree to pay any accounts as listed on the agenda. To agree to issue any invoices.
- h) To receive the list of planning applications for the month.
- i) To receive and consider any further reports, updates, meetings, as listed on the agenda.
- j) To receive the Clerk's Report and any correspondence.
- k) At the end of the meeting any last minute items can be looked at for information purposes or discussion only.

8. Urgent Business

A motion to vary the order of business on the grounds of urgency may be proposed by the Chairman or by any member.

9. Minutes

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.

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.

The accuracy of draft minutes, including any amendments(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.

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 () 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.”

Upon the 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.

10. Disorderly Conduct

All members of the Darnhall Parish Council must behave in a manner required by the Code of Conduct that has been adopted by the Darnhall Parish Council.

At any meeting no councillor shall persistently disregard the ruling of the Chairman, obstruct business, behave irregularly, offensively, improperly or in such a manner as to scandalise the Darnhall Parish Council or bring it into contempt or ridicule.

If this standing order is ignored, the Chairman of the meeting shall request such person(s) to moderate or improve their conduct. 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 excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.

If a resolution made under the above 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.

11. Cancelling a Previous Resolution

A decision made by Darnhall Parish Council whether positive or negative shall not be reversed within six months except either by a special resolution, the written notice whereof bears the name of at least three members of the council, or by a resolution moved in pursuance of the report or recommendation of a committee.

When a special resolution or any other resolution moved under the provisions of the above paragraph of this order has been disposed of, no similar resolution may be moved within a further six months.

12. Expenditure

Orders for the payment of money shall be authorised by resolution of the Darnhall Parish Council and signed by two councillors.

13. Committees and Sub Committees

At the Annual Parish Council Meeting the Darnhall Parish Council will appoint the committees and any sub committees and may at any other time appoint other committees as are necessary, clearly defining the roles of that committee and any delegated powers, but subject to any statutory provision in that behalf: -

- Shall not appoint any member of a committee so as to hold office later than the next Annual Meeting.
- May appoint persons other than members of the Darnhall Parish Council to any committee and may subject to the provisions above at any time dissolve or alter the membership of the committee.
- Every committee shall have a Chairman and the Chairman shall in the case of an equality of votes have the second or casting vote.

14. Extraordinary Meeting

The Chairman of the relevant Committee or the Chairman of Darnhall Parish Council may summon an additional meeting of that committee at any time. An additional meeting shall also be summoned on the requisition in writing of not less than a quarter of the members of the committee. The summons shall set out the business to be considered at the special meeting and no other business shall be discussed.

15. Advisory Committees.

Darnhall Parish Council may create advisory committees, whose name and number of members and the bodies to be invited to nominate members shall be specified.

The Clerk shall inform the members of each advisory committee of the terms of reference of that committee. An advisory committee may make recommendations and give notice thereof to Darnhall Parish Council.

An advisory committee may consist wholly of persons who are not members of Darnhall Parish Council.

16. Estimates/Precepts

Darnhall Parish Council will consider written estimates for the coming financial year at its November meeting.

Any committee desiring to incur expenditure shall give the clerk a written estimate of the expenditure recommended for the coming year no later than the end of October.

17. Personal Interests

If a member has a personal interest as defined by the Code of Conduct adopted by the Darnhall Parish Council then he/she must declare such interest as soon as it becomes apparent, disclosing the nature and extent of that interest as required.

If a member who has declared a personal interest then considers the interest to be prejudicial, he/she must withdraw from the meeting during consideration of the item to which the interest relates.

18. Inspection of Documents

All the minutes kept by Darnhall Parish Council and by any committees shall be open for the inspection of any member of Darnhall Parish Council.

19. Admission of the Public and the Press to Meetings

The public and press shall be admitted to all meetings of the Darnhall Parish Council but may be temporarily excluded if, in the view of the nature of the business about to be transacted, it is advisable in the public interest that the public be instructed to be withdrawn. The council will state the reason for the temporary exclusion.

At all the meetings of Darnhall Parish Council the public will be given the opportunity to speak for 10/15 minutes before the meeting starts on any item on the agenda or not.

The Clerk shall afford to the press reasonable facilities for taking their report of any proceeding at which they are entitled to be present. Audio, video recording and photographs of the meeting are permitted by press and public. Although permission is no longer required, it is requested that the Parish Council be informed that this will be undertaken as a matter of courtesy. Reporting of council meetings via social media is also permitted.

If a member of the public interrupt the proceedings at the meeting the Chairman may after warning, order that he/she be removed from the meeting.

20. Confidential Business

Any business declared to be confidential which is discussed at a meeting, will not be revealed by any member of Darnhall Parish Council to committees or sub committees or any other person not a member of Darnhall Parish Council.

If any member is found to be in breach of the above, then the council will remove him/her from any committee or subcommittee of the Darnhall Parish Council.

21. Planning Applications

As soon as the Clerk has received a planning application it will be entered into the planning applications book. The following details will be entered in the book: -

- A plan reference number for our own use, which will also be put on the plan
- The planning application number.
- The date of the planning application.
- Who the planning application is for and the address
- What the plans are for.

Later when Darnhall Parish Council has made its decision on a plan these comments will be sent to *Cheshire West and Chester Council Planning*.

22. Code of Conduct on Complaints

Darnhall Parish Council shall deal with complaints of maladministration allegedly committed by the council or by any officer or member in such manner as adopted by the council except for those complaints that should be properly directed to the Cheshire West and Chester Council Monitoring Officer for consideration.

23. Variation, Revocation and Suspension of Standing Orders

A resolution permanently to add, vary or revoke a standing order shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of Darnhall Parish Council.

24. Data Protection Act (DPA)

Darnhall Parish Council recognises its responsibility to comply with the Data Protection Act 1998. The act regulates the use of personal data. This does not have to be sensitive data; it

can be as little as a name and address. For this reason, Darnhall Parish Council has agreed to register as a Data Controller with the Information Commissioner Office. The Parish Council has prepared a detailed policy document to which councillors and clerk should adhere.

24. Freedom of Information (FOI)

This represents the Council's commitment to release information proactively. A guide detailing the information routinely published and how this information can be accessed is available on the Council's website or as a hard copy.

Information which is not routinely published will be considered for release on receipt of a written request. The Clerk will respond within 20 days as per legislation. Advice and assistance will be given to help people who propose to or have made a request for information. Details of information that has been provided by the Council in response to requests will be published on a Disclosure Log under the Council's Publication Scheme.

25. Proper Officer

The proper officer shall be either the clerk or other staff member nominated by the council to undertake the work of the Proper Officer when the Proper Officer is absent.

The Proper Officer shall:

- Prepare the agenda for the meeting and see to all councillors having a copy sent to them before the meeting. The agenda will also be posted in the notice board and on the website.
- Facilitate inspection of the minute book upon request by local government electors
- Receive and retain copies of byelaws made by other local authorities
- Retain acceptance of office forms from councillors
- Retain a copy of every councillor's register of interests
- Assist with responding to requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the council's policies and procedures relating to the same
- Receive and send general correspondence and notices on behalf of the council except where there is a resolution to the contrary
- Manage the organisation, storage of, access to and destruction of information held by the council in paper and electronic form
- Arrange for legal deeds to be executed
- Arrange or manage the prompt authorisation, approval and instruction regarding any payments to be made by the council in accordance with the council's financial regulations
- Record every planning application notified to the council and the council's response to the local planning authority in a book for such purpose
- Refer a planning application received by the council to the Chairman or in his absence the vice Chairman of Darnhall Parish council and if necessary facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of Darnhall Parish Council

26. Responsible Financial Officer (RFO)

The RFO is also the Clerk. Darnhall Parish Council shall appoint appropriate staff member(s) to undertake the work of the responsible financial officer when the responsible financial officer is absent.

27. Health and Safety

Darnhall Parish Council recognises and accepts its responsibilities as an employer for providing a safe and healthy working environment for its employees, contractors, voluntary helpers and others who may be affected by the activities of the Council.

The Council will meet its responsibilities under the Health and Safety at Work Act 1974, and will provide, as far as is reasonably practicable, the resources necessary to fulfil this commitment.

The Council will seek, as and when appropriate, expert technical advice on Health and Safety to assist the Clerk in fulfilling the Council's responsibilities for ensuring safe working conditions.

28. Equality and Diversity

It is unlawful to discriminate against an individual on the following grounds: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation Under the Equality Act 2010 these are known as “protected characteristics”.

The purpose of this policy is to provide equal opportunities to all employees, irrespective of their characteristics (unless there are genuine occupational qualifications or objectively justified reasons for a different approach to be taken). We oppose all forms of unlawful and unfair discrimination whether it be direct or indirect discrimination, victimisation or harassment on the grounds of any of the protected characteristics defined in the Equality Act 2010.

29. Standing Orders - Darnhall Parish Council Members

A copy of these standing orders will be given to each member of the council upon completion of his or her declaration of acceptance of office and written undertaking to comply with the Code of Conduct adopted by the Darnhall Parish Council.

Cllr L Jinks – Chairman

Dr M Bailey - Clerk

May 2021