



# **PARISH ASSEMBLY**

# **STANDING ORDERS**

Adopted on:  
27 March 2017

## Notes:

1. It is implicit in these standing orders that the masculine shall include the feminine.
2. In these standing orders reference to an elector means a local government elector whose name is recorded on the electoral register for the civil parish of Swanage.
3. Standing orders that are in bold type contain statutory requirements and cannot be amended.

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# **1. Parish meetings**

- a. The parish meeting of a parish shall assemble annually on some day between 1<sup>st</sup> March and 1<sup>st</sup> June, both inclusive, in every year.
- b. Parish meetings shall be held on such days and at such times as fixed by the Town Council.
- c. The proceedings at a parish meeting shall not commence earlier than 6 o'clock in the evening.

# **2. 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 seven 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.
- c. If any business proposed to be transacted at a parish meeting relates to -
  - (i) the dissolution of the parish Town Council, or
  - (ii) the grouping of the parish with another parish or parishes under a common parish council,

fourteen clear days notice shall be given.

- d. Public notice of a parish meeting shall be given –
  - (i) by posting a notice of the meeting in some conspicuous place or places in the parish, and
  - (ii) in such other manner, if any, as appears to the person or persons convening the meeting to be desirable for giving publicity to the meeting, including online and via social media.
- e. A parish meeting may be convened by –
  - (i) the chairman of the town council, or
  - (ii) any two town councillors, or
  - (iii) any six local government electors for the parish.
- f. 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 the reason(s) for the public's exclusion.

- g. 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.
- h. Filming, audio-recording, taking photographs and the use of social media are permitted, in compliance with the Town Council's adopted Policy and protocol.
- i. Subject to Standing Orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Town Council may in his absence be done by, to or before the Vice Chairman of the Town Council (if any).
- j. The Chairman of the Town Council, 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 of the Town Council are absent from a meeting, a person as chosen by those present at the meeting shall preside at the meeting.
- k. The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.
- l. All motions at a meeting shall in the first instance be decided by a majority of the electors present and voting. The decision of the Chairman as to the result of the voting shall be final unless a poll is demanded.
- m. The Chairman of a meeting (if a local government elector for the parish) may give an original vote on any matter put to the vote. In the case of an equality of votes he may exercise his casting vote whether or not he gave an original vote.
- n. Subject to the provisions of the Local Government Act 1972, each local government elector may, at a parish meeting or at a poll consequent thereon, give one vote and no more on any question.
- o. Voting on a motion shall be by a show of hands of local government electors for the parish or, if at least two electors so request, by signed ballot.
- p. A poll may be demanded before the conclusion of a meeting on any question arising at the meeting; but no poll shall be taken unless either (i) the person presiding at the meeting consents or (ii) the poll is demanded by not less than ten, or one-third of the local government electors present at the meeting, whichever is less.
- q. A poll subsequent to a parish meeting shall be a poll of those entitled to attend the meeting as local government electors, and shall be taken by ballot in accordance with the Parish and Community Meetings

**(Polls) Rules 1987 as amended. If a poll is demanded, the chairman of the parish meeting shall notify the district council in which the parish is situated and the council shall appoint an officer to be a returning officer.**

- r. The minutes of an assembly of a parish meeting must be signed at the same or next meeting by the person presiding at the meeting and the signed minutes of the meeting serve as a legal record of what has taken place. Minutes must be kept in a book provided for the purpose.**
- s. A parish meeting's resolutions will not be binding on the town council except in exceptional circumstances (e.g. a resolution for a parish council to provide allotment gardens will trigger a parish council's duty under s.23 Small Holdings and Allotments Act 1908 to consider if its provision of allotment gardens is sufficient to meet demand). Unless one of the exceptions apply, the parish meeting's resolutions provide an indication of the views of the local government electors who attended the assembly at which the resolutions were made. The town council recognises that it is good practice (but not a requirement) for it to consider them formally because it may, subject to having the relevant statutory powers, wish to take action in respect of such resolutions.

### **3. Rules of debate at meetings**

- a. Those wishing to speak on an agenda item should raise their hand and wait to be called by the Chairman.
- b. Whilst non- residents of the parish have no statutory right to partake in the meeting, they may be invited to do so at the Chairman's discretion.
- c. Speakers will be heard in the order determined by the Chairman and those present will listen with respect.
- d. Only local government electors may propose or second motions for debate at a parish meeting.
- e. Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the Chairman of the meeting.
- f. A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- g. A motion on the agenda not moved by its proposer may be treated by the Chairman of the meeting as withdrawn.
- h. If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.

- i. An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- j. If an amendment to the original motion is carried, the amended original motion becomes the substantive motion upon which further amendment(s) may be moved.
- k. An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the Chairman of the meeting, is expressed in writing to the Chairman.
- l. A local elector may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- m. If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the Chairman.
- n. Subject to Standing Order 2(o) below, only one amendment shall be moved and debated at a time.
- o. One or more amendments may be discussed together if the Chairman of the meeting considers this expedient but each amendment shall be voted upon separately.
- p. A local elector may not move more than one amendment to an original or substantive motion.
- q. The mover of an amendment has no right of reply at the end of debate on it.
- r. Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate of the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
- s. Unless permitted by the Chairman of the meeting, a local elector may speak once in the debate on a motion except:
  - i. to speak on an amendment moved by another elector;
  - ii. to move or speak on another amendment if the motion has been amended since he last spoke;
  - iii. to make a point of order;
  - iv. to give a personal explanation; or
  - v. in exercise of a right of reply.
- t. During the debate of a motion, an elector may interrupt only on a point of order or a personal explanation and the elector who was interrupted shall stop speaking. An elector raising a point of order shall identify the Standing Order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.



- u. A point of order shall be decided by the Chairman of the meeting and his decision shall be final.
- v. When a motion is under debate, no other motion shall be moved except:
  - i. to amend the motion;
  - ii. to proceed to the next business;
  - iii. to adjourn the debate;
  - iv. to put the motion to a vote;
  - v. to ask a person to be no longer heard or to leave the meeting;
  - vi. to exclude the public and press;
  - vii. to adjourn the meeting; or
  - viii. to suspend particular Standing Order(s) excepting those which reflect mandatory statutory requirements.
- w. Before an original or substantive motion is put to the vote, the Chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.
- x. Excluding motions moved under Standing Order 3 above, the contributions or speeches by an elector shall relate only to the motion under discussion and shall not exceed 3 minutes without the consent of the Chairman of the meeting.
- y. An elector may remain seated when speaking unless requested to stand by the Chairman.

## 4. Disorderly conduct at meetings

- a. No person shall obstruct the transaction of business at a meeting or behave offensively or improperly or **in such a manner as to bring the meeting into disrepute**. If this Standing Order is ignored, the Chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- b. If person(s) disregard the request of the Chairman of the meeting to moderate or improve their conduct, any elector 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.
- c. If a Resolution made under Standing Order 3 (b) 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.

## **5. Motions for a meeting that require written notice to be given to the Chairman**

- a. A motion shall relate to a matter specific to the parish of Swanage including the public activities or policies in the parish of any local authority, public or private body, government department or public service.
- b. No motion may be moved at a meeting unless it is on the Agenda and the mover has given written notice of its wording to the Chairman at least 10 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c. No elector shall move more than 3 motions at any one meeting.
- d. The Chairman may, before including a motion on the agenda received in accordance with Standing Order 5(b) above, correct obvious grammatical or typographical errors in the wording of the motion.
- e. If the Chairman considers the wording of a motion received in accordance with Standing Order 5(b) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Chairman so that it can be understood at least 7 clear days before the meeting.
- f. If the wording or subject of a proposed motion is considered improper, the Chairman shall seek appropriate advice to consider whether the motion shall be included in the agenda or rejected.
- g. Subject to Standing Order 5(f) above, the decision of the Chairman as to whether or not to include the motion on the agenda shall be final.
- h. The Chairman shall insert in the agenda for every meeting all notices of motion properly given in the order in which they have been received unless the elector giving a notice of motion has stated in writing that he intends to move at some later meeting or withdraws it.

## **6. Motions at a meeting that do not require written notice**

- a. The following motions may be moved at a meeting without written notice;
  - 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 extend the time limits for speaking;
- viii. to exclude the press and public from a meeting in respect of confidential or sensitive information which is prejudicial to the public interest;
- ix. to not hear further from a member of the public;
- x. to exclude a member of the public for disorderly conduct;
- xi. to temporarily suspend the meeting;
- xii. to suspend a particular Standing Order (unless it reflects mandatory statutory requirements);
- xiii. to adjourn the meeting; or
- xiv. to close a meeting.

## 7. Draft minutes

- a. If the draft minutes of a preceding meeting have been served 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 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 6(a)(i) above.
- c. The accuracy of draft minutes, including any amendment(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.
- d. 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.”
- e. Upon a 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.

## 8. Good conduct

- a. All persons in attendance at the meeting shall behave respectfully and treat others with equal respect.
- b. All persons in attendance will act in accordance with the 7 principles of public life, as set out in Standing Order 9 below.

## 9. The 7 principles of public life

**a. Selflessness**

Holders of public office should act solely in terms of the public interest.

**b. Integrity**

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

**c. Objectivity**

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

**d. Accountability**

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

**e. Openness**

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

**f. Honesty**

Holders of public office should be truthful.

**g. Leadership**

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

## **10. Requests for information**

- a. Requests for information held by the Council in relation to parish meetings shall be handled in accordance with the Freedom of Information Act 2000 and the Data Protection Act 1998.

## **11. Communicating with District and County (or Unitary) Councillors**

- a. An invitation to attend a parish meeting shall be sent, together with the agenda, to the Ward Councillor(s) of the District and County (or Unitary) Council.

## **12. Complaints**

- a. The Council shall deal with complaints regarding the parish meeting in accordance with its adopted complaints procedure.

## **13. Standing Orders generally**

- a. All or part of a Standing Order, except one that incorporates mandatory statutory requirements (shown in bold type), may be suspended by Resolution in relation to the consideration of an item on the agenda for a meeting.
- b. The right to make, vary and revoke Standing Orders rests with the Town Council.
- c. The decision of the Chairman of a meeting as to the application of Standing Orders at the meeting shall be final.

