COLWICH PARISH COUNCIL

PD006
STANDING ORDERS

©This document is the property of Colwich Parish Council
Parish Centre, St. Mary's Road, Little Haywood, Staffordshire, ST18 0TX
Telephone: 01889-882665.
It mustl not be copied, or the contents otherwise used, without the consent of the owner.

Standing Orders – PD006

Revision history

This document was originally written by:

Name	**Position**	**Date**
Michael Lennon	Clerk	2017

This document version was reviewed by:

Policy Committee	April 2026

This document version was approved by:

Full Council	May 2026
Chairman of Council	Wendy Plant

Document Review Schedule:

Next Mandatory Review by:	May 2027

Revision History

Version	Issue Date	Document ID	Reason for Change	Section(s) Changed
1		PD001-01	Initial Issue	NA
2	06/09/18	PD001-02	Annual review	1.2,1.9,1.19,1.24,1.25,2.4,9.6
3	10/2021	PD001-03	Annual review New Chairman	None
4	10/2022	PD001-04	Annual Review	1,2
5	12/2023	PD001-05	Annual Review	None
6	05/2025	PD006-06	Annual Review New number	All
7	05/2026	PD006-07	Annual Review	All

Contents

1 Meetings 5
2 Ordinary Council Meetings 8
3 Proper Officer 9
4 Motions Requiring Written Notice 10
5 Motions Not Requiring Written Notice 11
6 Rules of Debate 12
7 Code of Conduct and Dispensations 13
8 Questions 14
9 Minutes 14
10 Disorderly Conduct 15
11 Rescission of Previous Resolutions 15
12 Voting on Appointments 15
13 Expenditure 15
14 Execution and Sealing of Legal Deeds 16
15 Committees 16
16 Sub-Committees 16
17 Extraordinary Meetings 17
18 Advisory Committees 17
19 Accounts and Financial Statement 17
20 Estimates/Precepts 17
21 Canvassing of and Recommendations by Councillors 18
22 Inspection of Documents 18
23 Unauthorised Activities 18
24 Confidential Business and Data Protection 18
25 Power of Competence 19
26 Matters Affecting Council Officials 19
27 Freedom of Information Act 2000 20
28 Relations with the Press/Media 20

29 Liaison with District and County or Unitary Councillors 21
30 Financial Matters 21
31 Allegations of Breaches of the Code of Conduct 22
32 Variation, Revocation and Suspension of Standing Orders.....23
33 Standing Orders to be given to Councillors 23
34 Casual Vacancy ……...23

1 MEETINGS

1.1 Meetings of the council shall be held at the Parish Centre, St Mary's Road, Little Haywood, unless the Council otherwise decides at a previous meeting. 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. No alcohol shall be consumed during the meeting by those present or in attendance. **[Local Government Act 1972 (LGA1972) Sch 12 s.10(1)].**

1.2 The meeting summons/agenda shall be issued 3 clear days before the meeting. When calculating clear days for notice of a meeting to Councillors and the public, the day on which the notice was issued; the day of the meeting; a Sunday; any day of the Christmas; Easter or other bank holiday break or a day appointed for public thanksgiving or mourning shall not count **[LGA1972 s.243 and Sch 12 s.10(2)].**

1.3 Christmas break means the period beginning with the last weekday before Christmas and ending with the first weekday after Christmas Day which is not a bank holiday; Easter break means the period beginning with the Thursday before and ending with the Tuesday after Easter Day. Bank holiday break means any bank holiday not included in the Christmas or Easter breaks and the period beginning with the last weekday before that bank holiday and ending with the next weekday which is not a bank holiday. The Saturday before a bank holiday Monday shall not count.

1.4 Meetings shall be open to the public and press **[Public Bodies (Admission to Meetings) Act 1960 s1(1) – PB(AM)1960]** 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 **[PB(AM)1960 s1(2)]**. Members of the public and press shall identify themselves whether attendance is in-person or online; 'sign-in' and accept the Standing Orders (SO) relating to members of the public. 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.

1.5 A person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. **[PB(AM)1960 4(d)]** To "report" means to film, photograph make an audio recording of meeting proceedings, use any means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide written commentary about the meeting so that the report is available as the meeting takes place or later to persons not present.

1.6 A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place. **[PB(AM)1960 4A].**

1.7 Subject to SO1.4 above, members of the public and press are permitted to make representations; ask a question of the Council; answer questions from the Council and give evidence only respect of any item of business included in the agenda.

1.8 The period of time which is designated for public participation in accordance with standing order 1.4 above shall not exceed 10 minutes, except via Resolution, and shall be held at the start of the meeting.

1.9 Subject to SO1.7 above, each member of the public or press is entitled to speak once only in respect of business itemised on the agenda and shall not speak for more than 3 minutes.

1.10 In accordance with SO1.7 above, a question asked by a member of the public during a public participation session at a meeting shall not require a response in the meeting but shall, if a verbal response is not given, receive a written or verbal acknowledgement within 10 working days.

1.11 In accordance with SO1.10 above, the Chairman may direct that a response to a question posed by a member of the public be referred to a Councillor for an oral response or to an official for an oral or written response.

1.12 A record of public participation at a meeting, including numbers of attendees and any representations made, question asked/answered, or evidence given, shall be included in the minutes of that meeting.

1.13 Any person, whether they be a member of the public, press or a Councillor, speaking at a meeting shall address their comments to the Chairman.

1.14 Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chairman shall direct the order of speaking.

1.15 Meetings of the Full Council may be video, and audio, recorded, on MSTeams, with the recording retained. The retention shall usually be until the minutes have been approved but may be indefinitely if released under a Freedom of Information request.

1.16 In accordance with SO1.4 above, the press shall be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present. **[PB(AM)1960 4(c)].**

1.17 Subject to and SO which indicates otherwise, anything authorised or required to be done by, to or before the Chairman may in their absence be done by, to or before the Vice Chairman. **[LGA1972 s15(9)].**

1.18 If present, the Chairman shall preside **[LGA1972 Sch 12 s.11(1)]**. In the absence of the Chairman the Vice Chairman shall preside **[LGA1972 Sch 12 s.11(2)]**. If both the Chairman and the Vice-Chairman are absent from the start of a meeting, a Councillor, as chosen by the Councillors present and voting at the meeting, shall preside for the entirety of that meeting or until the Chairman or, in their absence, the Vice Chairman shall arrive **[LGA1972 Sch 12 s.11(3)]**.

1.19 All motions at a meeting shall be decided by a majority of the Councillors present and voting thereon. **[LGA(1972) Sch 12 s.39(1)]** A paper ballot may be taken when voting on sensitive matters e.g., the election of the Chairman and/or Vice Chairman of the Council and/or Committees or the co-option of new Councillors.

1.20 The Chairman may give an original vote on any matter put to the vote, and in the case of an equality of votes, may exercise a casting vote whether or not an original vote was given **[LGA1972 Sch 12 para 39(2)].** (See also SO2.9 and 2.10 below.)

1.21 Unless SO provide otherwise, voting on any question shall be by a show of hands **[LGA1972 Sch 12 para 13(1)].** At the request of a Councillor, the voting on any question shall be recorded so as to show whether each Councillor present voted for, against or abstained from voting on that question **[LGA1972 Sch 12 para 13(2)]**

except on resolutions relating to employment matters. Such a request shall be made before moving on to the next item of business on the agenda.

1.22 The minutes of a meeting shall record the names of Councillors present, absent, with reasons for absence, and those leaving early. **[LGA1972 Sch 12 s.40]**. Except in extraordinary circumstances, apologies for absence, with full reasons, shall be sent to the Chief Officer in writing at least 48 hours before the meeting using the agreed template. Any Councillor who wishes to leave the meeting before it finishes shall make this known at the start of the meeting under the item 'Apologies'.

1.23 The Code of Conduct adopted by the Council (PD012) shall apply to Councillors in respect of the entire meeting. **[Localism Act 2011 (LA2011) s.28]**

1.24 An interest arising from the Code of Conduct adopted by the Council (PD012), the existence and nature of which is required to be disclosed by a Councillor at a meeting shall be recorded in the minutes. (See also SO7 and SO8 below.)

1.25 No business may be transacted at a meeting unless at least one third, rounded up, of the whole number of members of the Committee are present and in no case shall the quorum of a meeting be less than 3. For the Full Council the number required shall be 5. **[LGA1972 Sch 12 s.12].**

1.26 If a meeting is or becomes inquorate no business shall be transacted, and the meeting shall be adjourned (see SO1.25). Any outstanding business of a meeting so adjourned shall be transacted at a following meeting. However, if a meeting item becomes inquorate by virtue of Declarations of Interest, subject to SO7 below, then such items are to be adjourned to a future meeting and the meeting may continue at the next item.

1.27 Mobiles phones and other electronic devices may be used during meetings providing this is discreet, does not interfere with the efficient running of the meeting and relates to the items on the agenda.

1.28 If the business of the day has not concluded two hours after the start of the meeting(s), the Chairman shall indicate that time has expired, and the Councillor speaking shall immediately be quiet. The Chairman shall adjourn the meeting immediately unless a motion to continue is moved and seconded. The Chairman may not move or second such a motion. A motion to continue the meeting shall be voted on without discussion.

1.29 If the motion is passed the meeting may continue for a further thirty minutes. At the end of this period the Chairman shall again indicate that time has expired and that the meeting shall be adjourned unless a further motion is proposed, seconded and voted on as above. The Chairman may not move or second such a motion. If a second motion is agreed, then the meeting may continue for a further thirty minutes at the end of which the Chairman shall adjourn the meeting and no further motion to continue the meeting may be moved.

1.28 If, when the meeting is adjourned, there is business on the agenda that has not been considered it shall be deferred to the next meeting unless an extra-ordinary meeting is called in accordance with SO17.

2 ORDINARY COUNCIL MEETINGS

2.1 In an election year, a person elected to the office of Councillor, shall before or at the first meeting of the Council after their election, make, in the presence of a member of the Council or of the Council's Proper Officer (CPO), a declaration of acceptance of office. **[LGA1972 s83(4)].** The Council has determined that all such declarations are to be made in the presence of, and counter-signed by, the CPO.

2.2 In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the newly elected Councillors take office. **[LGA1972 Sch 12 s7(2)].**

2.3 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 **[LGA1972 Sch 12 s.7(2)]**. The Council's annual meeting shall be the held on the first Thursday in May.

2.4 In addition to the annual meeting of the Council, three other statutory ordinary meetings shall be held each year. **[LGA1972 Sch 12 s.8(1)].**

2.5 If no other time is fixed, the annual meeting of the Council shall take place at 6pm. **[LGA1972 Sch 12 s.7(3)].** Unless otherwise agreed, other Council meetings shall commence at 7:30pm.

2.6 The election of the Chairman of the Council shall be the first business completed at the annual meeting of the Council. The election of the Vice Chairman shall follow the election of the Chairman. **[LGA1972 s15(2)].**

2.7 The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting of the Council until his successor is elected. **[LGA1972 s15(4)].**

2.8 The Vice-Chairman of the Council, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council. **[LGA1972 s15(7)].**

2.9 In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he shall preside at the meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but shall give a casting vote in the case of an equality of votes. **[LGA1972 s15(3)].**

2.10 In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he shall preside at the meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and shall give a casting vote in the case of an equality of votes. **[LGA1972 s15(3)].**

2.11 In an ordinary year, the current Chairman of the Council shall preside at the meeting, see SO2.7, until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and shall give a casting vote in the case of an equality of votes**. [LGA1972 s15(3)].**

2.12 Following the election of the Chairman of the Council and Vice-Chairman of the Council at the annual meeting of the Council, the order of business shall be as follows.

2.12.1 Sighting of the deeds for land and/or property owner or held in trust by the Council.

2.12.2 Appointment of committee members including the election of Chairmen and Vice Chairmen from within the Committee members. The Chairman of the Full Council shall give a casting vote in the case of an equality of votes. **[LGA1972 Sch 12 para 39(2)].**

2.12.3 Review of representation on or work with external bodies.

2.12.4 Review the names of Councillors authorised to sign cheques and/or authorise online payments.

2.12.5 Review the names of Councillors authorised to deposit funds with and withdraw funds from the Council's deposit accounts.

2.12.6 To agree the Small Grants programme for the year.

2.12.7 Setting the dates of ordinary meetings of the Full Council and Committees for the year ahead.

2.13 If a meeting falls on the same night as a Colwich Parish Council By-Election, or a By-Election/Ordinary Election for the Parliamentary, Staffordshire County Council or Stafford Borough Council seats containing Colwich, then the date of the meeting shall be changed.

3 PROPER OFFICER

3.1 The CPO shall be either (i) the Chief Officer or (ii) such other official appointed by the Council to undertake the role of the CPO during the CPO's absence. The CPO, or the official appointed to act as such during the CPO's absence, shall fulfil the duties assigned to the CPO in standing orders. **[LGA1972 s112].**

3.2 Urgent matters arising between ordinary meetings of the Council, or meetings of Council Committees, shall be considered by the Chairman and two other members (one of which shall, if possible, be the Vice-Chairman) of the Council or relevant Committee, as appropriate, and recommendations made to the CPO. The CPO shall have regard to these recommendations, and make the appropriate decision(s), on the basis of authority, which is hereby delegated. **[LGA1972 s.101]**. The CPO shall report details of the decision(s) made to the next ordinary meeting of the Council or Council Committee. In the case of an emergency, or in the case of Planning Amendments, where it is not practical, or appropriate, to comply with the foregoing procedure, the CPO may make a decision on behalf of the Council, in accordance with powers similarly delegated, but shall seek to obtain retrospective approval, as soon as is reasonably possible. See also PD126.

3.3 The CPO, or delegated Official on behalf of the CPO, shall do the following:

3.3.1 Sign and serve on Councillors by delivery, post or email at their residences a summons confirming the time, date, venue and the agenda of a meeting of the Council or a Council Committee at least 3 clear days before the meeting in line with SO1.2 above. **[LGA1972 Sch12 s.10(2)(b)]**

3.3.2 Give public notice of the time, date, venue and agenda at least 3 clear days before a meeting of the Council or Council Committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by Councillors is signed by them). **[LGA1972 Sch12 s.10(2)(a)].**

3.3.3 Subject to SO4.1–4.5 below, include in the agenda all motions in the order

received unless a Councillor has given written notice at least 8 clear days before the meeting confirming its withdrawal.

3.3.4 Convene a meeting of the Full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in that office. **[LGA1972 s.88(1)(2)].**

3.3.5 Make available for inspection the minutes of meetings. **[LGA 1972 s.228].**

3.3.6 Receive and retain copies of byelaws made by other local authorities. **[LGA1972 s.236(9)].**

3.3.7 Receive, sign and retain declarations of acceptance of office from Councillors.

3.3.8 Retain a copy of every Councillor's register of interests and any changes to it and keep copies of the same available for inspection.

3.3.9 Forward an electronic copy of register of interests to Stafford Borough Council for inclusion on its website. Ensure an electronic copy is entered onto the Council's website.

3.3.10 Retain securely the Declaration of Interest record as declared within each meeting.

3.3.11 Keep proper records required before and after meetings.

3.3.12 Process all requests made under the Freedom of Information Act 2000, the Environmental Regulations 2004, the Data Protection Act 1998 or the General Data Protection Regulations 2018, in accordance with and subject to the Council's Publication Scheme. (PD026).

3.3.13 Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.

3.3.14 Manage the organisation, storage of and access to information held by the Council in paper and electronic form.

3.3.15 Arrange for legal deeds to be signed by 2 Councillors and witnessed (See also SO 14.1 and 14.2.)

3.3.16 Arrange for the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's Financial Regulations (PD021).

3.3.17 Record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose.

3.3.18 Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.

4 MOTIONS REQUIRING WRITTEN NOTICE

4.1 In accordance with standing order 3.3.3 above, no motion may be moved at a meeting unless it is included in the agenda **[LGA1972 Sch 12 para 10(2)(b) and Longfield Parish Council v Wright 1918 88 LJ Ch 119]** and the mover has given written notice of its wording to the CPO at least 8 clear days before the next meeting. Clear days to be taken as in SO1.2 above.

4.2 The CPO may, before including a motion in the agenda, received in accordance with SO4.1 above, correct obvious grammatical or typographical errors in the wording of the motion.

4.3 If the CPO considers the wording of a motion received in accordance with SO4.1 above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the CPO in clear and certain language at least 5 clear days before the meeting.

4.4 If the wording or nature of a proposed motion is considered unlawful or improper, the CPO shall consult with the Chairman of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to consider whether the motion shall be included or rejected in the agenda.

4.5 Having consulted the Chairman or Councillors pursuant to SO4.4 above, the decision of the CPO, as to whether to include the motion in the agenda, shall be final.

4.6 Every motion rejected in accordance with the Council's standing orders shall be duly recorded with a note by the CPO giving reasons for its rejection and shall be open to inspection by all Councillors.

4.7 Every motion and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area or its residents.

5 MOTIONS NOT REQUIRING WRITTEN NOTICE

5.1 Motions in respect of the following matters may be moved without written notice.

5.1.1 To appoint a person to preside at a meeting.
5.1.2 To approve the accuracy of the minutes of the previous meeting.
5.1.3 To correct an inaccuracy in the minutes of the previous meeting.
5.1.4 To dispose of business, if any, remaining from the last meeting.
5.1.5 To alter the order of business on the agenda for reasons of urgency or expedience.
5.1.6 To proceed to the next business on the agenda.
5.1.7 To close or adjourn debate.
5.1.8 To refer by formal delegation a matter to a Council Committee or to an official.
5.1.9 To consider a report and/or recommendations made by an official, professional advisor, expert or consultant.
5.1.10 To authorise legal deeds to be signed by two Councillors and witnessed. (See SO14.1 and 14.2 below.)
5.1.11 To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it?
5.1.12 To exclude the press and public for all or part of a meeting **[PB(AM)1960 s1(2)]**
5.1.13 To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct. (See SO10)
5.1.14 To give the consent of the Council if such consent is required by SO.
5.1.15 To suspend any SO except those which are mandatory by law.
5.1.16 To adjourn the meeting.
5.1.17 To answer questions from Councillors.

5.2 If a motion falls within the terms of reference of a Council Committee or within the delegated powers conferred on an official, a referral of the same may be made to

such provided that the Chairman may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

6 RULES OF DEBATE

6.1 Motions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Chairman's direction for reasons of expedience. See SO5.1.5 above.

6.2 Subject to SO4.1–SO4.5 above, a motion shall not be considered unless it has been proposed and seconded.

6.3 Subject to SO3.3.3 above, a motion included in an agenda not moved by the Councillor who tabled it, shall be treated as withdrawn.

6.4 Councillors may speak once only, to introduce the motion, to seek/provide clarification of the motion or to support/oppose the motion in respect of each individual item on the agenda and shall not speak for more than 3 minutes. All comments or questions should be directed through the Chairman. The mover of a motion may speak again to answer questions/provide clarification, see SO6.14

6.5 A motion to amend an original or substantive motion shall not be considered unless proper notice has been given after the original or substantive motion has been seconded and notice of such amendment, shall, if required by the Chairman, be reduced to writing and handed to the Chairman who shall determine the order in which they are considered.

6.6 A Councillor may move amendments to their own motion. If a motion has already been seconded, an amendment to it shall be with the consent of the seconder.

6.7 Any amendment to a motion shall be either:

6.7.1 to leave out words.
6.7.2 to add words.
6.7.3 to leave out words and add other words.

6.8 A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration.

6.9 Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman. No further amendment to a motion shall be moved until the previous amendment has been disposed of.

6.10 Subject to SO6.8, one or more amendments may be discussed together if the Chairman considers this expedient but shall be voted upon separately.

6.11 Pursuant to SO6.8, the number of amendments to an original or substantive motion, which may be moved by a Councillor, is limited to one.

6.12 If an amendment is not carried, other amendments shall be moved in the order directed by the Chairman.

6.13 If an amendment is carried, the original motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.

6.14 The mover of a motion or the mover of an amendment shall have a right of reply, not exceeding 3 minutes.

6.15 Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply in respect of the substantive motion at the very end of debate and immediately before it is put to the vote.

6.16 Subject to SO6.13 and SO6.14, a Councillor may not speak further in respect of any one motion except to speak once on an amendment moved by another Councillor or to make a point of order or to give a personal explanation.

6.17 During the debate of a motion, a Councillor may interrupt only on a point of order or a personal explanation and the Councillor who was interrupted shall stop speaking. A Councillor raising a point of order shall identify the standing order which he considers has been breached or specify the irregularity in the meeting he is concerned by.

6.18 A point of order shall be decided by the Chairman and his decision shall be final.

6.19 With the consent of the seconder and/or of the meeting, a motion or amendment may be withdrawn by the proposer. A Councillor shall not speak upon the said motion or amendment unless permission for the withdrawal of the motion or amendment has been refused.

6.20 Subject to SO6.15 above, when a Councillor's motion is under debate no other motion shall be moved except:

6.20.1 to amend the motion.
6.20.2 to proceed to the next business.
6.20.3 to adjourn the debate.
6.20.4 to put the motion to a vote.
6.20.5 to ask a person to be silent or to leave the meeting.
6.20.6 to refer a motion to a committee or sub-committee for consideration.
6.20.7 to exclude the public and press.
6.20.8 to adjourn the meeting.
6.20.9 to suspend any standing order, except those which are mandatory.

6.21 In respect of SO 6.20.4 above, the Chairman shall first be satisfied that the motion has been sufficiently debated before it is seconded and put to the vote. The Chairman shall call upon the mover of the motion under debate to exercise or waive the right of reply and shall put the motion to the vote after that right has been exercised or waived. The adjournment of a debate or of the meeting shall not prejudice the mover's right of reply at the resumption.

7 CODE OF CONDUCT AND DISPENSATIONS

7.1 All Councillors shall observe the Code of Conduct (PD012) as adopted by the Council on 6th November 2025. **[LA2011 s.28]**.

7.2 In accordance with Appendix B paragraph 7 of the Code of Conduct, Councillors may exercise the rights contained in SO7.3 below only if members of the public are permitted to (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted.

7.3 Councillors with an interest in relation to any item of business being transacted at a meeting may (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted but shall, thereafter, leave the room or chamber.

7.4 A Councillor, or a non-Councillor with voting rights, who has a disclosable pecuniary interest or another interest as set out in the 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 **[LA2011 s.31].**

7.5 Any request for Dispensation from SO7.1-SO7.4 shall be made in writing to the CPO as soon as possible before the meeting. **[LA2011 s33(1)].** A decision as to whether to grant a dispensation shall be made by the Full Council or committee or sub-committee for which the dispensation is required, and that decision shall be final.

7.6 A dispensation may be granted if having regard to all relevant to all relevant circumstances, any of the following apply:

- **7.6.1** Without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting as to impede transaction of the business. **[LA2011 s.33(2)(a)**
- **7.6.2** Granting the dispensation is in the interests of persons living in the Council's area. **[LA2011 s.33(2)(c)].**
- **7.6.3** It is otherwise appropriate to grant a dispensation. **[LA2011 s.33(2)(d)].**

8 QUESTIONS

8.1 A Councillor may seek an answer to a question concerning any business of the Council provided 5 clear days' notice of the question has been given to the CPO. *See SO 1.2 for a definition of 'clear days'*.

9 MINUTES

9.1 If a copy of the draft minutes of a preceding meeting have been posted on the website no later than the day of service of the summons to attend the scheduled meeting they shall be taken as read.

9.2 No discussion of the draft minutes of a preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the minutes shall be raised in accordance with SO5.1.3 above.

9.3 Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the Chairman of the meeting, in which they are confirmed, and stand as an accurate record of the meeting to which the minutes relate. **[LGA1972 Sch.12 s.41(1)].**

9.4 Upon a resolution which confirms the accuracy of the minutes of a meeting, any notes or recordings of the meeting may be destroyed.

9.5 No unsigned minutes may be carried over from one Council to the next. Any outstanding minutes, together with the minutes from the final meeting before the

Ordinary Election, shall be considered during this final meeting. A short recess shall be taken to allow for the minutes to be typed and read.

10 DISORDERLY CONDUCT

10.1 No person, whether that be a Councillor, Official, member of the public or member of the press, shall obstruct the transaction of business at a meeting or behave offensively or improperly. **[PB(AM)1960 s.1(8)].**

10.2 If, in the opinion of the Chairman, there has been a breach of SO10.1 above, the Chairman shall express that opinion and thereafter any Councillor (including the Chairman) may move that the person be silenced or excluded from the meeting, and the motion, if seconded, shall be put forth with and without discussion.

10.3 If a resolution made in accordance with SO10.2 above is disobeyed the Chairman may take such further steps as may reasonably be necessary to enforce it and/or he may adjourn the meeting.

11 RESCISSION OF PREVIOUS RESOLUTIONS

11.1 A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months except by a special motion, the written notice whereof bears the names of at least five Councillors of the Council and has been received in line with Standing Order 4.1 above.

11.2 When a special motion, or any other motion, moved pursuant to standing order 11.1 above has been disposed of, no similar motion may be moved within a further 6 months.

12 VOTING ON APPOINTMENTS

12.1 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 off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. Any tie may be settled by the Chairman's casting vote **[LGA1972 Sch 12 para 39(2)].**

13 EXPENDITURE

13.1 Any expenditure incurred by the Council shall be in accordance with the Council's Financial Regulations (PD021).

13.2 The Council's financial regulations shall be reviewed annually.

13.3 The Council's financial regulations may make provision for the authorisation of the payment of money in exercise of any of the Council's functions to be delegated to a committee or to an official (PD126).

14 EXECUTION AND SEALING OF LEGAL DEEDS

14.1 A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.

14.2 In accordance with a resolution made under standing order 14.1 above, any two members of the Council may sign, on behalf of the Council, any deed required by law and the CPO shall witness their signatures. **[LGA1972 s.14(3)].**

15 COMMITTEES

15.1 The Council may, at its annual meeting, appoint standing committees **[LGA1972 s.101(1)(a)]** and may at any other time appoint such other committees as may be necessary, and:

15.1.1 Shall determine their terms of reference (PD002).

15.1.2 Shall determine the dates of their meetings.

15.1.3 Shall appoint and determine the term of office of Councillor or non-Councillor members of such a committee (unless the appointment of non-Councillors is prohibited by law) so as to hold office no later than the next annual meeting.

15.1.4 Shall permit substitute Councillors to attend a Committee to replace ordinary Councillors of that Committee if ordinary Councillors have confirmed to the CPO that they are unable to attend. It is for the ordinary member to arrange a substitute.

15.1.5 An ordinary member of a committee who has been replaced at a meeting by a substitute member (in accordance with standing order 15.1.4 above) shall not be permitted to participate in debate or vote on business at that meeting and may only speak during any public participation session during the meeting.

15.1.6 May, in accordance with standing orders, dissolve a committee at any time.

15.1.7 Any Councillor who fails to attend a minimum of three meetings of a Committee in the year and/or who fails to attend three consecutive meetings shall be deemed to have resigned from that Committee and shall not be eligible to re-join until the next annual meeting.

15.1.8 Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee. **[LGA1972 s.101(2)].**

15.1.9 The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council **[LGA1972 s.102 (3)].**

15.1.10 Unless the Council determines otherwise, all members of an advisory committee and a sub-committee of the advisory committee may be non-councillors. **[LGA1972 s.102(4)].**

16 SUB-COMMITTEES

16.1 Unless there is a Council resolution to the contrary, every Committee may appoint a sub-Committee whose terms of reference and members shall be determined by resolution of the Committee.

17 EXTRAORDINARY MEETINGS

17.1 The Chairman of the Council may convene an extraordinary meeting of the Council at any time **[LGA1972 Sch 12, para 9(1)]**.

17.2 If the Chairman of the Council does not, or refuses to, call an extraordinary meeting of the Council within 5 clear days of having been requested to do so by two Councillors, those two Councillors may convene an extraordinary meeting of the Council **[LGA1972 Sch 12, para 9(2)]**. The statutory public notice giving the time, venue and agenda for such a meeting shall be signed by the two Councillors. See SO1.2 for definition of clear days.

17.3 The Chairman of a Committee may convene an extraordinary meeting of the committee at any time.

17.4 If the Chairman of a committee does not or refuses to call an extraordinary meeting within 5 clear days of having been requested to do so by 2 Councillors on that committee, those 2 Councillors may convene an extraordinary meeting of a committee. The statutory public notice giving the time, venue and agenda for such a meeting shall be signed by 2 Councillors. See SO1.2 for definition of clear days.

18 ADVISORY COMMITTEES

18.1 The Council may appoint advisory committees comprised of Councillors and non-Councillors. **[LGA1972 s.102(3)].**

18.2 Advisory committees may consist wholly of persons who are non-Councillors**. [LGA1972 s102(4)(a)].**

19 ACCOUNTS AND FINANCIAL STATEMENT

19.1 All payments, and contracts let, by the Council shall be authorised, approved and paid in accordance with the Council's Financial Regulations (PD021), which shall be reviewed at least annually.

19.2 The Finance Officer shall supply, at each Full Council meeting, a copy of the Council's bank statement for the preceding month, a copy of the current budget position, a copy of the reconciliation between the Council's bank accounts and cashbook together with a reconciliation against the Council's current account.

19.3 A Financial Statement prepared on the appropriate accounting basis (receipts and payments, or income and expenditure) together with the Statement of Accounts of the Council (which is subject to external audit), including the annual governance statement, for the year to 31 March shall be presented before the end of June.

20 ESTIMATES/PRECEPTS

20.1 The Council shall approve written estimates for the coming financial year at its February Full Council meeting.

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

21 CANVASSING OF AND RECOMMENDATIONS BY COUNCILLORS

21.1 Canvassing Councillors or the members of a Committee, directly or indirectly, for appointment by the Council shall disqualify the candidate from such an appointment. The CPO shall disclose the requirements of this standing order to every candidate.

21.2 A Councillor or a member of a committee shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for promotion; but, nevertheless, any such person may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.

21.3 This SO shall apply to tenders as if the person making the tender were a candidate for an appointment.

22 INSPECTION OF DOCUMENTS

22.1 Subject to SO to the contrary, or in respect of matters which are confidential, Councillors may, for the purpose of their official duties (but not otherwise), inspect any document in the possession of the Council or a committee, and request a copy for the same purpose. The minutes of meetings of the Council and its Committees shall be available for inspection by Councillors.

23 UNAUTHORISED ACTIVITIES

23.1 Unless authorised by a resolution and whilst still conforming to **LGA1972 Sch12 s.12**, no individual Councillor shall in the name or on behalf of the Council or a committee:

23.1.1 Inspect any land and/or premises which the Council has a right or duty to inspect.

23.1.2 Issue orders, instructions or directions.

24 CONFIDENTIAL BUSINESS AND DATA PROTECTION

24.1 Councillors, officials or contractors shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature without legal justification. **[General Data Protection Regulations 2018 (GDPR2018) Article 49 (1) and PD004].**

24.2 The agenda, any support papers and the minutes of a meeting shall not disclose or otherwise undermine confidential information of personal data with legal justification. **[GDPR2018 2018].**

24.3 A Councillor in breach of the provisions of SO 24.1 above may be removed from a committee by a resolution of the Council.

24.4 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 and encryption of personal data. **[GDPR2018 and PD004]. In so doing the Council shall:**

24.4.1 Have policies and procedures in place to respond to an individual exercising statutory rights concerning their personal data. (PD004).

24.4.2 A written policy in place for responding to and managing a personal data breach. (PD004).

24.4.3 A record of all personal data breaches comprising the facts relating to the personal data breach, its effect and the remedial action taken. (PD004).

24.4.4 Ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date. (PD004).

24.4.5 Maintain a written record of its processing activities. (PD004).

24.5 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 confirms the period for which information (including personal data) shall be retained or if this in not possible the criteria used to determine the period **[Limitation Act 1980].**

25 POWER OF COMPETENCE

25.1 Before exercising the General Power of Competence (GPC), as defined in **LA2011 Part 1, Chapter 1, s.1** and detailed in the **Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012**, a meeting of the Full Council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria required to qualify as an eligible parish council.

25.2 The Council's period of eligibility begins on the date that the resolution made under standing order 25.1 above was made and expires on the day before the annual meeting of the Council that takes place in a year of Ordinary Elections.

25.3 After the expiry of its preceding period of eligibility, the Council continues to be an eligible council solely for the purpose of completing any activity undertaken in the exercise of the GPC which was not completed before the expiry of the Council's preceding period of eligibility referred to in standing order 25.2 above.

26 MATTERS AFFECTING COUNCIL OFFICIALS

26.1 If a meeting considers any matter personal to a Council official, it shall not be considered until the Council, or the Committee, has decided whether the press and public shall be excluded pursuant to SO1.4.

26.2 The Chairman shall, under PD106, conduct a review of the performance and/or appraisal of the Chief Officer, a written record of which shall be kept in the Chief Officer's office. The review and/or appraisal shall be reported back and shall be subject to approval by resolution by the Employment committee. The Chief Officer is responsible for undertaking or counter-signing the annual review/appraisal of other officials.

26.3 Subject to the Council's policy regarding the handling of grievance matters (PD125), the Chief Officer (or other official) shall contact the Chairman or the Vice-Chairman in respect of an informal or formal grievance matter.

26.4 Subject to the Council's policy regarding the handling of grievance (PD125) and disciplinary (PD124) matters, if an informal or formal grievance matter raised by an official relates to the Chairman or Vice-Chairman, this shall be communicated to another member, which shall be reported back and progressed by resolution of the Council.

26.5 Any persons responsible for all or part of the management of Council officials shall keep written records of all meetings relating to their performance, and capabilities, grievance and disciplinary matters.

26.6 The Council shall keep written records relating to officials secure. All paper records shall be secured under lock, and electronic records shall be password protected.

26.7 Records documenting reasons for an official's absence due to ill health or details of a medical condition shall be made available only to those persons with responsibility for the same.

26.8 Only persons with line management responsibilities shall have access to officials' records referred to in standing orders 26.7 and 26.8 above, if so justified.

26.9 Access and means of access by keys and/or computer passwords to records of employment referred to above shall be provided only to the Chief Officer and the Chairman of the Council or Chairman of the Employment Committee.

26.10 The Chief Officer, as the line manager for all other officials of the Council, has delegated power (PD126) to suspend any official for serious misconduct, notify the Chairman of the Council and call a meeting of the Employment Committee in line with the Council's Disciplinary Procedures (PD124).

27 FREEDOM OF INFORMATION ACT 2000

27.1 All requests for information held by the Council shall be processed in accordance with the Council's Publication Scheme (PD026) in respect of handling requests under the Freedom of Information Act 2000.

27.2 Correspondence from, and notices served by, the Information Commissioner shall be referred by the CPO to the Chairman of the Policy Committee. The Policy Committee shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000 including exercising the powers of the CPO in respect of Freedom of Information requests set out under Standing Order 3.3.12 above.

28 RELATIONS WITH THE PRESS/MEDIA

28.1 All requests from the press or other media for an oral or written statement or comment from the Council shall be processed in accordance with the Council's policy in respect of dealing with the press and/or other media (PD027).

28.2 In accordance with the Council's policy in respect to dealing with the press and/or other media (PD027), Councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media.

29 LIAISON WITH DISTRICT AND COUNTY OR UNITARY COUNCILLORS

29.1 An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the Councillors of the Borough, County or Unitary Authority representing Colwich.

30 FINANCIAL MATTERS

30.1 The Council shall consider and approve Financial Regulations (PD021) drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:

- **30.1.1** The accounting records and systems of internal control.
- **30.1.2** The assessment and management of financial risks faced by the Council.
- **30.1.3** The work of the Internal Auditor and the receipt of regular reports from the Internal Auditor, which shall be required at least annually.
- **30.1.4** The inspection and copying by Councillors and local electors of the Council's accounts and/or orders of payments.
- **30.1.5** Procurement policies (subject to standing order 30.2 below) including the setting of values for different procedures where the contract has an estimated value of less than £25,000.

30.2 Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value more than £25,000 shall be procured on the basis of a formal tender as summarised in standing order 30.3 below.

30.3 Any formal tender process shall comprise the following steps:

- **30.3.1** A public notice of intention to place a contract to be placed on the Government Procurement website.
- **30.3.2** A specification of the goods, materials, services and the execution of works shall be drawn up.
- **30.3.3** Tenders are to be sent, in a sealed marked envelope, to the CPO by a stated date and time.
- **30.3.4** Tenders submitted are to be opened in line with Financial Regulation (PD021) Appendix 1 Tender Process.
- **30.3.5** Tenders are then to be assessed against the pre-prepared assessment criteria and reported to the appropriate meeting of Council or Committee.

30.4 Neither the Council, nor any committee, is bound to accept the lowest tender, estimate or quote.

30.5 Where the value of a contract is likely to exceed £213,477, as at January 2024, (or other threshold specified by the Office of Government Commerce from time to time) the Council shall consider whether the Public Contracts Regulations 2006 (SI No.5, as amended) and the Utilities Contracts Regulations 2006 (SI No.6, as amended)

apply to the contract and, if either of those Regulations apply, the Council shall comply with procurement rules.

31 ALLEGATIONS OF BREACHES OF THE CODE OF CONDUCT

31.1 On receipt of a notification that there has been an alleged breach of the code of conduct the CPO shall refer it to the Chairman and/or Vice Chairman of the Council.

31.2 Where the notification relates to a complaint by the CPO, the CPO shall notify the Chairman of the Council of that fact, who, upon receipt of such notification, shall nominate a person to assume the duties of the CPO set out in the remainder of this standing order, who shall continue to act in respect of that matter as such until the complaint is resolved.

31.3 Where a notification relates to a complaint made by an official (not being the CPO) the CPO shall ensure that the official in question does not deal with any aspect of the complaint.

31.4 The subject matter of notifications shall be confidential and, insofar as it is possible to do so by law, the duly formed Complaints Committee (including the CPO, subject to SO 31.2, Chairman and/or Vice Chairman of the Council) shall take the steps set out below, together with other steps considered necessary, to maintain confidentiality.

31.5 The CPO, or duly nominated official, shall:

- **31.5.1** Draft the summonses and agendas in such a way that the identity and subject matter of the complaint are not disclosed.
- **31.5.2** Ensure that any background papers containing the information are not made public.
- **31.5.3** Ensure that the public and press are excluded from meetings as appropriate.
- **31.5.4** Ensure that the minutes of meetings preserve confidentiality.
- **31.5.5** Consider any liaison that may be required with the person or body with statutory responsibility for the investigation of the matter.

31.6 SO31.5 shall not be taken to prohibit the Council (whether through the CPO or the Chairman of the Council or otherwise) from disclosing information to members and officers of the Council or to other persons where such disclosure is necessary to deal with the complaint or is required by law.

31.7 The CPO shall have the power to:

- **31.7.1** Seek documentary and other evidence from the person or body with statutory responsibility for investigation of the matter.
- **31.7.2** Seek and share information relevant to the complaint.
- **31.7.3** Grant the member involved a financial indemnity in respect of legal costs, which shall be in accordance with the law and subject to approval by a meeting of the Full Council.

31.8 References in SO31 to a notification shall be taken to refer to a communication of any kind which relates to a breach or an alleged breach of the code of conduct by a Councillor.

32 VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

32.1 Any or every part of the standing orders, except those which are mandatory by law, may be suspended by resolution in relation to any specific item of business.

32.2 A motion to permanently add to or to vary or to revoke one or more of the Council's standing orders, not mandatory by law, shall not be carried unless a majority of the Councillors present and voting at a meeting of the Council vote in favour of the same.

33 STANDING ORDERS TO BE GIVEN TO COUNCILLORS

33.1 The CPO shall provide a copy of the Council's SO to a Councillor upon delivery of the signed declaration of acceptance of office.

33.2 The Chairman's decision as to the application of SO at meetings shall be final.

34 CASUAL VACANCY

34.1 A Casual vacancy is deemed to exist when a Councillor resigns, dies or becomes disqualified.

34.1.1 A Councillor wishing to resign from the Council shall inform the Chairman in writing, copied to the Chief Officer. The resignation becomes immediate upon receipt of this notification by the Chairman. A resignation cannot be post-dated, cannot be refused by the Chairman and cannot be rescinded once received. [**LGA1972 s84(1)].**

34.1.2 The vacancy is deemed to exist from the date of death. **[LGA1972 s 8(c)].**

34.1.3 An applicant, successful at an election or co-option, shall complete a declaration of acceptance of office, witnessed by the Chief Officer, at or before the first meeting after they are elected. A vacancy shall automatically arise if the declaration is not executed at the proper time or is not witnessed correctly. **[LGA1972 s83].**

34.1.4 A Councillor may become disqualified under **LA2011 s.34** or by virtue of a conviction or a breach of any provision under **Part II of the Representation of the People Act 1983 – RPA1983**. In such cases a declaration of disqualification shall be made by the High Court.

34.1.5 Where a Councillor fails to attend any meeting of the Council for a period of six consecutive months **[LGA 1972 s85(1)]**, unless this has been approved by the Council beforehand through a signed and minuted Dispensation, the seat shall be declared vacant at a meeting of the Full Council which shall take place as soon as possible after the expiry of the six-month period.

34.2 The Chief Officer shall inform Stafford Borough Council of the casual vacancy, including the minute reference when necessary.

34.3 Stafford Borough Council shall issue the appropriate Notice of Vacancy informing electors in the Ward that they may request an election by writing to the returning officer at Stafford Borough Council by a set date.

34.4 If 10 electors make such a request then an election shall be held at a date set by Stafford Borough Council. **[LGA1972 s.89 and RPA1983 s.36].**

34.5 If 10 electors do not make such a request then the Council shall fill the vacancy through co-option, as soon as possible

34.6 Candidates for co-option shall be asked to complete a simple application form, detailing their eligibility, together with a short personal statement by a date set by the Chief Officer. In the first instance this would be one week before the second Full Council meeting after the issuing of the notice.

34.7 The decision to co-opt a new member may only be taken at a Full Council meeting.

34.7.1 The item **"TO CONSIDER AND AGREE WHETHER TO CO-OPT A NEW MEMBER FOR ***** WARD"** shall be included on the agenda near the start of the meeting.

34.7.2 The Chairman shall invite candidates to make a short verbal presentation. Following the presentations the Chairman shall invite members to ask questions of the candidates.

34.7.3 Voting shall be by secret ballot of those Councillors present at the meeting.

34.7.4 Where the number of applicants is equal to or less than the number of vacancies the question asked shall be:

- Do you wish to co-opt X to be a member of Colwich Parish Council? Yes or No.

34.7.5 When the number of applicants exceeds the number of vacancies voting to fill the vacancies will take place in a prescribed order. The first ballot will list all applicants by name as well as "none of the above". Subsequent ballots, if required, will be taken, removing the name of the person receiving the fewest votes, until all the vacancies are filled or "none of the above" receives the most votes.

34.7.6 An applicant will be deemed to be co-opted when (s)he receives a majority of votes of those Councillors present and voting.

34.7.7 The successful applicant will be invited to sign their Declaration of Acceptance of Office straight away and to join the meeting.

SIGNED	*Wendy Plant*
COUNCILLOR WENDY PLANT, PARISH COUNCIL CHAIRMAN	