

**ST WINNOW**

**PARISH COUNCIL**

**STANDING ORDERS**

Adopted May 2023

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# 1 Meetings

- 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. When calculating the 3 clear days for notice of a meeting to councillors and the public, 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 shall not count.
- c. Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.
- d. *Subject to standing order 1 (c) above, members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included in the agenda.*
- e. *The period of time which is designated for public participation in accordance with standing order 1 (d) above shall not exceed 15 minutes.*
- f. *Subject to standing order 1 (e) above, each member of the public is entitled to speak once only in respect of business itemised on the agenda and shall not speak for more than 3 minutes.*
- g. *In accordance with standing order 1 (d) above, a question asked by a member of the public during public participation session at a meeting shall not require a response or debate.*
- h. *In accordance with standing order 1 (g) above, the Chairman may direct that a response to a question posed by a member of the public be referred to a councillor for a oral response or to an employee for written or oral response.*
- i. *A record of a public participation session at a meeting shall be included in the minutes of that meeting.*
- j. *Any person speaking at a meeting shall address his comments to the Chairman.*
- k. *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.*
- l. **The right to record, film and to broadcast meetings of the Council, Committees and Sub Committees is established following the Local Government Audit and Accountability Act 2014. This is in addition to the rights of the press and public to attend such meetings.**
- m. *The Council will make the Council chamber available to the public 15 minutes before and after meetings for the setting up and removal of any filming equipment.*
- n. *Members of the public are permitted to film or record meetings to which they are permitted access, in a non-disruptive manner and only from public areas.*
- o. *Meetings or parts of meetings from which the press are public are excluded may not be filmed or recorded.*

- p. *The use of digital and social media recording tools, for example Twitter, blogging or audio recording will be allowed as long as it is carried out in a non-disruptive manner.*
- q. *Councillors who choose to use social media during council meetings must refrain from disrupting other Councillors and Council debate.*
- r. *Councillors who choose to record, film or broadcast meetings including the use of social media are reminded of the responsibilities under the Councils Code of Conduct including confidentiality requirements.*
- s. *While those attending meetings are deemed to have consented filming, recording or broadcasting of meetings, those exercising the rights to film, record and broadcast must respect the rights of other people attending under Data Protection Act 1998.*
- t. *The Chairman of the meeting, or any such Council representative as designated by the chairman, has the authority to stop a meeting and take appropriate action if any person contravenes these principles or is deemed to be recording in a disruptive manner.*
- u. *Any person or organisation choosing to film, record or broadcast any meeting of the Council is responsible for any claims or liability resulting from them so doing and by choosing to film, record or broadcast proceedings they accept that they are required to indemnify the Council, its members and officers in relation to any such claims or liabilities.*
- v. *The Council asks those recording proceedings not to edit the filming or recording in a way they could lead to misinterpretation of the proceedings, or infringe the core values of the council. This includes refraining from editing an image or views expressed in a way that may ridicule, or show lack of respect towards those being filmed or recorded.*
- w. *The Council will display the requirements as to filming, recording and broadcasting as its meeting venues and those undertaking these activities will be deemed to have accepted them whether they have read them or not.*
- x. *The Council will advertise that all meetings are held in public and could be filmed or recorded by broadcasters, the media or members of the public.*
- y. *The Council will publish the guidance on the filming, recording and broadcasting on its website.*
- m. In accordance with standing order 1 © 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.**
- n. Subject to standing orders which indicates otherwise, anything authorised or required to be done by the Chairman may in his absence be done by, to or before the Vice-Chairman.**
- o. 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 the meeting, a Councillor chosen by the Councillors present at the meeting shall preside at the meeting.**
- p. Subject to model standing order 1 (q) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.**
- q. The Chairman may give an original vote on any matter put to the vote, and in the case of equality of votes may exercise his casting vote whether he gave an original vote. (See also standing orders2 (i) and (j) below.**
- r. Unless standing orders provide otherwise, voting on any question shall be by a show of hands. At the request of a Councillor, the voting on any question shall be recorded to show whether each councillor present and voting gave his vote for or against that question. Such a request must be made before moving to next business.**
- s. The minutes of a meeting shall record the names of councillors present and absent.**

- t. The code of conduct adopted by the Council shall apply to councillors and members of the public co opted to serve on Committees and Sub Committees of the council in respect of the entire meeting.
- u. All interests arising from the code of conduct adopted by the Council, will be recorded in the minutes giving the existence and nature of the interest. *(See also standing orders 7 and 8 below)*
- v. No business may be transacted at a meeting unless at least one third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than 3. If a meeting is or becomes inquorate no business shall be transacted **and the Meeting shall be adjourned.**
- w. *Meetings shall not exceed a period of 2 hours.*

## 2 Ordinary Council meetings

- a. In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the new councillors elected take office.
- b. In the year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council may direct.
- c. If no other time is fixed, the annual meeting of the Council shall take place at 6 pm.
- d. In addition to the to the annual meeting of the Council, at least three other directs ordinary meetings shall be held in each year on such dates and times as the Council.
- e. The election of Chairman and Vice-Chairman of the Council shall be the first business completed at the annual meeting of the Council.
- f. The Chairman of the Council, unless he has resigned or become disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.
- g. 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.
- h. In an election year, if the current Chairman or 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 new Chairman of the Council but must give a casting vote in the case of an equality of votes.
- i. 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 must give a casting vote in the case of an equality of votes.
- j. *Following the election of Chairman and Vice-Chairman of the Council at the annual meeting of the Council, the order of business shall be as follows.*

- i. *In an election year, delivery by councillors of their declarations of acceptance of office.*
- ii. *Confirmation of the accuracy of the minutes of the last meeting of the Council.*
- iii. *To receive representations from external bodies.*
- iv. *Review and adoption of appropriate standing orders and financial regulations.*
- v. *Review of inventory of land and assets including building and office equipment.*
- vi. *Review and confirmation of arrangements for insurance cover in respect of all risks.*
- vii. *Review the Council's complaints procedure.*
- viii. *Setting the dates and venues for the Council's ordinary meetings for the year ahead*

### **3 Proper Officer**

- a) *The Council's Proper Officer shall be either the clerk or such other employee as may be nominated by the Council from time to time. The Proper Officer or the employee appointed to act as such during the Proper Officer's absence shall fulfil the duties assigned to the Proper Officer in standing orders.*
- b) *The Council's Proper Officer shall do the following.*
  - i. **Sign and serve on councillors electronically or by delivery or post at the residences a summons confirming the time, date, venue and the agenda of a meeting of the Council at least 3 clear days before the meeting.**
  - ii. **Give public notice of the time, date, venue and agenda at least 3 clear days before a meeting of the Council (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them.**
  - iii. *Subject to standing orders<sup>4</sup> (a)-(d) below, include in the agenda all motions in the order received unless a councillor has given written notice at least 5 days before the meeting confirming his withdrawal of it.*
  - iv. **Convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office, in accordance with standing order 3 (b) i above.**
  - v. *Make available for inspection the minutes of meetings.*
  - vi. **Receive and retain copies of byelaws made by other local authorities.**
  - vii. **Receive and retain declarations of acceptance of office from councillors.**
  - viii. *Retain a copy of every councillor's register of interests make changes when required and keep copies of same available for inspection.*
  - ix. *Keep proper records required before and after meetings.*
  - x. *Receive and send general correspondence on behalf of the Council except where there is a resolution to the contrary.*

- xi. Manage the organisation, storage of and access to information held by the Council in paper and electronic form.*
- xii. Arrange for the approval and prompt payments to be made by the Council in accordance the Council's financial regulations.*

## **4 Motions requiring written notice**

- a. In accordance with standing order 3(b) (iii) above, no motion may be moved at a meeting unless it is included in the agenda and the mover has given written notice of its wording to the Council's Proper Officer at least 5 clear days before the next meeting.*
- b. If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Chairman of the forthcoming meeting or, as the case may be, the Councillor's who have convened the meeting, to consider whether the motion shall be included or rejected in the agenda.*
- c. Having consulted the Chairman or councillors pursuant to standing order 4(b) above, the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.*
- d. 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**

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

- i. To appoint persons to preside at meetings*
- ii. To approve the accuracy of the minutes of the previous meeting.*
- iii. To correct the inaccuracy in the minutes of the previous meeting.*
- iv. To dispose of business, if any remaining from the last meeting.*
- v. To alter the order of business on the agenda.*
- vi. To proceed to next business on the agenda.*
- vii. To close or adjourn a debate.*
- viii. To consider a report or recommendation made by an employee, professional Advisor, expert or consultant.*
- ix. To authorise legal deeds to be signed by two councillors and witnessed. (see standing order 14(a) and (b) below)*
- x. To authorise the payment of monies up to £2000.00*
- xi. To extend the time limit for speeches.*

- xii. *To exclude the press and public for all or part of a meeting.*
- xiii. *To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.*
- xiv. **To suspend any standing order except those which are mandatory by law.**
- xv. *To adjourn the meeting.*
- xvi. *To appoint representatives to outside bodies and to make arrangements for those representatives to report back.*
- xvii. *To answer questions from councillors.*

## **6 Rules of debate**

- a. **A councillor or member of the public co opted to serve on Council committees who has a non-registerable interest defined under 3.5A of the Council's Code of Conduct, may by invitation of the Chairman, remain in the room to address the council to provide any information as they reasonably consider might inform the debate before leaving the room.**
- b. **The period of time for addressing the council under 6a shall not exceed 3 Minutes and will be at the discretion of the Chairman.**
- c. *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.*
- d. *Subject to standing orders 4(a)-(d) above, a motion shall not be considered unless it has been proposed and seconded.*
- e. *Subject to standing order 3(b) (iii) above, a motion included in an agenda not moved by the councillor who tabled it, may be treated as withdrawn.*
- f. *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.*
- g. *A Councillor may move amendments to his own motion. If a motion has already been seconded, an amendment to it shall be with the consent of the seconder.*
- h. *A proposed or carried amendment to a motion shall not have the effect of rescinding the original or Substantive motion under consideration.*
- i. *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.*
- j. *Subject to standing order 6(i) above, one or more amendments may be discussed together if the If the Chairman considers this expedient but shall be voted upon separately.*
- k. *Pursuant to standing order 6(h) above, the number of amendments to an original or substantive motion, which may be moved by a councillor, is limited to one.*



- l. If an amendment is not carried, other amendments shall be moved in the order directed by the Chairman.*
- m. 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 amendments may be moved.*
- n. The mover of a motion or mover of an amendment shall have a right of reply, not exceeding 2 minutes.*
- o. 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 the debate and immediately before it put to the vote.*
- p. Subject to standing order 6(l) and (m) above, 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.*
- q. During the debate of a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who is 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.*
- r. A point of order shall be decided by the Chairman and his decision shall be final.*
- s. 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.*

## **7. Code of Conduct.**

- a. All councillors and members of the public co opted to serve on the Council and sub committees shall observe the code of conduct adopted by the Council.**
- b. All councillors and members of the public co opted to serve on the Council and sub Committees shall maintain a Register of Disclosable Pecuniary Interests and must update their register by notifying the Clerk and Monitoring Officer of any changes within 28 days.**
- c. All councillors shall undertake training in the code of conduct within 6 months of the delivery of their declaration of acceptance of office.**
- d. Councillors and members of the public co opted to serve on Council committees and sub committees who have registered Disclosable Pecuniary interest in relation to any item of business being transacted at a meeting, shall leave the room whenever the item is being discussed.**
- e. Councillors and members of the public co opted to serve on Council committees and Sub committees who have declared a non-Registerable interest, in relation to any item of business being transacted at a meeting, shall leave the room whenever the item is being discussed.**
- f. All gifts of hospitality offered or received that could be seen by the public as likely to influence your judgement in these matters must be recorded in the register of interests maintained by the Proper Officer of the council.**

## **7.b Dispensations**

- a. A councillor or a member of the public co opted to serve on a committee or sub-committee who has declared a Disclosable Pecuniary Interest or Non Registerable Interest in any item of business being transacted at a meeting may submit a written request for dispensation before the start of the meeting.
- b. Written requests for dispensations should be a standing item on the agenda.
- c. The Council will not award dispensations to councillors or co opted members of committees attending any informal meeting of the Council, its committees and sub-committees where no record of the proceedings is made.
- d. This standing order shall apply to all meetings of the Council.
- e. Dispensations awarded by the Council shall stand until the next meeting of the Council where they will be recorded in the Minutes.

## **8. Minutes.**

- a. *If a copy of the draft minutes of a preceding meeting has been circulated to councillors no later than the Day of service of the summons to attend the scheduled meeting they shall be taken as read.*
- b. *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 standing order 5 (a)(iv) above.*
- c. *Minutes, including any amendment to correct their accuracy, shall be confirmed by a 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. *Upon a resolution which confirms the accuracy of the minutes of a meeting, any previous draft minutes or Recordings of the meeting shall be destroyed.*

## **9. Disorderly conduct.**

- a. *No person shall obstruct the transaction of business at a meeting or behave offensively or improperly.*
- b. *If, in the opinion of the Chairman, there has been a breach of standing order 10(a) 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 forthwith and without discussion.*

## **10. Rescission of previous resolutions.**

- a. *A resolution of the Council shall not be re-visited within 6 months except either by a special motion, the written notice whereof bears the names of at least 2 councillors of the Council, or by a motion moved in pursuance of the report or recommendation of a planning committee.*

## **11. Voting on appointments.**

- a) *Where more than 2 persons have been nominated for a position to be filled by the Council, the successful nomination will have to receive a majority of members votes.*

## **12. Expenditure.**

- a. **The Council's financial regulations shall be reviewed once a year.**
- b. **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 employee.**

## **13. Execution and sealing of legal deeds.**

- a. *A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.*
- b. **(In accordance with resolution made under standing order 13(a) above, any two members of the Council, may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.**

## **14. Extraordinary meetings.**

- a. **The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
- b. **If the Chairman of the Council does not or refuses to call an extraordinary meeting of the Council within 7 days of having been requested to do so by two councillors, those two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, venue and agenda for such a meeting must be signed by the two councillors.**

## **15. Accounts and Financial Statement.**

- a. *All payments by the Council shall be authorised, approved and paid in accordance with the Council's financial regulations, which shall be reviewed annually.*
- b. *The Responsible Financial Officer shall supply to each councillor as soon as practicable after 31<sup>st</sup> March, 30<sup>th</sup> June, 30<sup>th</sup> September and 31<sup>st</sup> December in each year a statement summarising the Council's receipts and payments for each year quarter and the for balances held at the end of the quarter. This statement to include a comparison with the budget the financial year. A Financial Statement prepared on a receipts and payments basis for year to 31<sup>st</sup> March shall be presented to each councillor before the end of the following month of May. The Statement of Accounts of the Council (which is subject to external audit), including the annual governance statement, shall be presented to Council for formal approval before the 30<sup>th</sup> June.*

## **16. Estimates/precepts.**

- a. The Council shall approve written estimates for the coming financial year at its meeting before the end of December.

## **17. Confidential business.**

- a. *Councillors and employees shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature.*

## **18. Power of well-being.**

- a. Before exercising the power to promote well-being, a meeting of the 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.
- b. The Council's period of eligibility begins on the date that the resolution understanding order 18(a) above was made and expires on the day before the annual meeting of the Council that takes place in a year of ordinary elections.
- c. 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 power to promote well-being which was not completed before the expiry of the Council's preceding period of eligibility referred to in standing order 18(b) above.

## **19. Matters affecting council employees.**

- a. *If a meeting considers any matter personal to a council employee, it shall not be considered until the Council has decided whether or not the press and public shall be excluded pursuant to standing order 1 c) above.*

## **20. Freedom of information Act 2000.**

- a. *All requests for information held by the Council shall be processed in accordance with the Council's Policy in respect of handling requests under the Freedom of Information Act 2000.*

## **21. Relations with the press/media.**

- a. *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.*
- b. *In accordance with the Council's policy in respect to dealing with the press and/or other media, councillors Shall not, in their official capacity, provide oral or written statements or written articles to the press or other media before consulting with the Chairman or Proper Officer.*

## 22. Liaison with Unitary Councillor.

- a. *An invitation to attend meetings of the Council shall be sent, together with the agenda, to the Councillor of the Unitary Council representing this electoral ward.*
- b. *Unless the Council otherwise orders, a copy of all correspondence sent to the Unitary Council shall be sent to the councillor representing this electoral ward.*

## 23. Financial matters.

- a. *The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:*
  - i. *The accounting records and system of internal control.*
  - ii. *The assessment and management of financial risk faced by the Council.*
  - iii. *The work of the internal Auditor and the receipt of regular reports from the internal Auditor, which shall be required at least annually.*
  - iv. *The inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments.*
  - v. *Procurement policies (subject to standing order 23 (b) below) including the setting of values for different procedures where the contract has an estimated value of less than £2000,00.*
- b. **Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £2000.00 shall be procured on a basis of a formal tender as summarised in standing order 23 c. below.**
- c. *A formal tender process shall comprise of the following steps:*
  - i. *a public notice of intention to place a contract on local notice boards.*
  - ii. *a specification of the goods, materials, services and the execution of works shall be drawn up.*
  - iii. *tenders are to be sent, in a sealed marked envelope, to the Proper Officer by stated date and time.*
  - iv. *tenders submitted to be opened, after the stated closing date, by the Proper Officer and councillors.*
  - v. *tenders are then assessed and reported to the next meeting of the Council.*
- d. *Neither the Council or any committee, is bound to accept the lowest tender, estimate or quote.*
- e. **Where the value of a contract is likely to exceed £138,893 (or other threshold specified by the Office of Government Commerce from time to time) the Council must 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 must comply with EU procurement rules.**

## 24. Allegations of breaches of the code of conduct.

- a) **Notification of any complaint shall remain confidential to the Proper Officer and the Chairman of the Council until such time as the matter has been concluded.**
- b) **Where the notification relates to a complaint made by the Proper officer, the Proper Officer shall notify the Chairman of St Winnow Parish Council of that fact, who, upon receipt of such notification, shall nominate a person to assume the duties of the Proper Officer set out in the remainder of this standing order, who shall continue to act in respect of that matter until the complaint is resolved.**

- c) **Where a notification relates to a complaint made by an employee (not being the Proper Officer) the Proper Officer shall ensure that the employee in question does not deal with any aspect of the complaint.**
- d) **References in standing order 24 to a notification shall be taken to refer to communication of any kind which relates to a breach or alleged breach of the code of conduct by a councillor.**
- e) *The subject matter of notification shall be confidential and, insofar as it is possible to do so by law, the Council (including the Proper Officer or a nominated person) shall take the steps set out below, together with other steps considered necessary, to maintain confidentiality.*
  - i. *Draft summonses and agendas in such a way that the identity and subject matter of the complaint are not disclosed.*
  - ii. *Ensure that any background papers containing information set out in standing order 24(a) above are not made public.*
  - iii. *Ensure that the public and press are excluded from meetings as appropriate.*
  - iv. *Ensure that the minutes of meetings preserve confidentiality.*
  - v. *Consider any liaison that may be required with the person or body with statutory responsibility for the investigation of the matter.*

## **25. Variation, revocation and suspension of standing orders.**

- a. *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.*
- b. *A motion to add or vary or revoke one or more of the Council's standing orders, not mandatory by law, shall be proposed by a special motion, the written notice whereof bears the names of at least 2 councillors.*

## **26. Standing orders to be given to councillors.**

- a. *The Proper officer shall provide a copy of the Council's standing orders to a councillor upon delivery of his declaration of his acceptance of office.*
- b. *The Chairman's decision as to the application of standing orders at meetings shall be final.*
- c. *A councillor's failure to observe standing orders more than 3 times in one meeting may result in him being excluded from the meeting in accordance with standing orders.*

### **FOOTNOTE.**

**All standing orders printed in bold print are mandatory by law and cannot be suspended or altered.**

*All standing orders printed in italics have been approved by St Winnow Parish Council but can be varied or revoked. (standing order 25 (b) above.)*

## **REMOTE MEETINGS PROTOCOL AND PROCEDURES**

### **AMENDMENTS TO STANDING ORDERS**

The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 allow local councils to hold remote meetings. The regulations give automatic authority to hold remote meetings and amend standing orders as required.

These regulations remain in force until May 7th, 2021 or earlier if repealed and require a number of temporary changes to Standing Orders.

#### **General**

This Protocol and Procedures should be read in conjunction with the Council's standing orders.

The Regulations made under s78 of Coronavirus Act 2020 apply and where there is a conflict between these and any other adopted standing orders or legislation, these Remote Meetings Procedures take precedence in relation to any remote meeting.

- 1) **Annual Meeting**
  - a) The requirement to hold an Annual Meeting of the Council is to be disregarded and prior to May 7th, 2021 may only take place
    - i) where called by the Chair or
    - ii) following a resolution calling for an annual meeting being passed at an ordinary or extra ordinary meeting of the Council.
  
- 2) **Access to Information**
  - a) Where a document is required to be 'open to inspection' this shall include published on the website of the council.
  - b) Where a document is required to be published and made available at the council's offices, this shall include published on the website of the council.
  - c) Where there is a requirement to publish information including public notices, agendas, minutes, background papers and written reports, this shall include published on the website of the council.
  
- 3) **Remote Access to Meetings**
  - a) The definition of meeting within the Council's standing orders is amended so that
    - i) 'place' includes where a meeting is held, or to be held in more than one place including electronic, digital, or virtual locations such as internet locations, web addresses or conference call telephone numbers
    - ii) 'open to the public' includes access to the meeting by remote means including video conferencing, live webcasting and interactive streaming
    - iii) where a meeting is accessible to the public through remote means, the meeting is open to the public whether or not members of the public are able to attend the meeting in person.
  - b) If the Council becomes aware that the its technology has failed, and the meeting is no longer accessible to the public, the meeting shall be adjourned.
  - c) If public access cannot be restored within a reasonable period, the remaining business shall be deferred to a future meeting.
  
- 4) **Councillors in Remote Attendance**
  - a) A councillor in remote attendance is present and counted for the purposes of the quorum when they can:
    - i) hear and where practicable see other members of the council
    - ii) hear and where practicable see members of the public wishing to participate during the public session of the meeting or as invited by the Chairman

- b) A councillor in remote attendance will be deemed to have left the meeting where, at any point in time during the meeting, any of the conditions for remote attendance at 4 a) are not met.
- c) Subject to 4 b) the Chairman may if appropriate

  - i) adjourn the meeting to permit conditions for remote attendance to be re-established
  - ii) count the number of councillors in attendance for the purpose of the quorum
- 5) Remote attendance by members of the public

  - a) A member of the public is in remote attendance when they can :

    - i) hear and where practicable see and so be heard and where practicable seen by members of the council at the meeting
    - ii) hear and where practicable see and so be heard and where practicable seen by other members of the public attending the meeting including those wishing to speak during the public session or as invited by the Chairman
  - b) A member of the public in remote attendance will be deemed to have left the meeting where, at any point in time during the meeting, any of the conditions for remote attendance at 5 a) are not met.
  - c) Subject to 5 b) the Chairman may if appropriate

    - i) adjourn the meeting to permit conditions for remote attendance to be re-established
    - ii) vary the order of the agenda or complete the remaining business of the meeting in the absence of the member of the public in remote attendance.
- 6) Remote Voting

Unless a recorded vote is demanded, the Chair will take the vote by :

  - a) confirmation of the meeting that there is agreement or
  - b) a roll call and the number of votes for or against the motion or amendment or abstaining will be recorded.
- 7) Code of Conduct – councillors excluded from the meeting

Where a councillor is required to leave the room as a requirement of the Council’s code of conduct, the means of remote attendance and access will be severed whilst any discussion or vote take place.
- 8) Exclusion of the press and public

Where the council has resolved to exclude the press and public from any part of the meeting, due to the confidentiality of the business to be discussed then:

  - a) The means of remote attendance and access to the meeting by members of the press and public will be severed
  - b) Each councillor present shall declare that there are no other persons present who are not entitled to be (hearing or seeing), and/or recording the meeting.