

COOKLEY & WALPOLE PARISH COUNCIL

STANDING ORDERS ADOPTED BY THE PARISH COUNCIL 17 MARCH 2015

*Incorporating also:
Protocol for the Reporting at Meetings of the Council or Committees,
Media Policy initiated by the Openness of Local Government Bodies
Regulations 2014
and Code of Conduct.*

1. **Meetings**

- a) Meetings of the council shall be held in each year on such dates and times and at such place as the council may direct. Currently this is monthly (except August and December) at 7.30pm in the Walpole & Cookley Pavilion on the 3rd Tuesday of the Month, or as may be directed, on three clear days' notice.
- b) Smoking is not permitted at any meeting of the Council.
- c) **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 charge.**
- d) **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
- e) **In respect of committee meetings, the minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the committee meeting is convened at shorter notice.**
- f) In respect of council meetings, annual notice of intended meetings shall be displayed on the village notice boards and the Cookpole News website.
- g) A meeting shall not exceed a period of two hours except by resolution of councillors upon the direction of the chairman of the meeting.
- h) Councillors shall be summoned to attend meetings and a summons to attend specifying the business proposed to be transacted at the meeting and certified by the proper officer of the council, shall be sent to every member of the council by an appropriate method which shall include transmission in electronic form to a particular electronic address.
- i) **The council should publish the draft minutes of a meeting of full council, a committee or sub-committee no later than one month after the meeting has taken place.**

2. Public Participation.

- a) 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.**
- b) At all meetings of the council the chairman may at his or her discretion and at a convenient time in the transaction of business, adjourn the meeting so as to allow any members of the public to address the meeting in relation to the business to be transacted at that meeting.
- c) If a member of the public interrupts the proceedings at any meeting, the chairman may, after warning, order that he or she be removed from the meeting.**
- d) Members of the public may make representations, ask and answer questions and give evidence at a meeting which they are entitled to attend in respect of business on the agenda at the direction of the chairman.
- e) Matters relevant to the parish and community required by a parishioner or group of parishioners to be considered or debated by the council shall be placed on the next available agenda if the matter is brought to the attention of the clerk or chairman (or vice-chairman in his absence) in good time, to include matters brought to the parish council by way of petition or deputation. At the direction of the chairman, any matters brought to the council in this way may become the subject of a special meeting called by the clerk.
- f) The period of time designated for public participation at a meeting shall be directed by the chairman of the meeting.
- g) A member of the public shall not speak for more than three minutes unless directed by the chairman of the meeting.
- h) A question shall not require response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a subsequent written or oral response be given.
- i) Whilst all the time striving for transparency in its business, the council shall not be required to divulge any information or opinions given to it or its councillors in confidence by parishioners, advisers or others.
- j) A person who speaks at a meeting shall direct his comments to the chairman of the meeting.
- k) Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.
- l) Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is permitted and should be conducted in accordance with the council's *Protocol for the Reporting at Meetings of the Council or its Committees.***
- m) Any person wishing to report on the proceedings shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**

3. Protocol for the Reporting at Meetings of the Council or Committees

- a) Except where members of the public have been excluded due to the confidential nature of the business, any person may film, photograph, audio record or use social media to report on meetings of the parish council, or a committee, including any public participation session.
- b) Reporting is restricted by legislation only to the proceedings of the meeting, from calling to order to the official closure of the meeting.
- c) Government guidelines do not permit the filming or photographing of persons under the age of eighteen or vulnerable adults without permission of a responsible adult. Any members of the public who object to being filmed or photographed for any reason and have moved to an area designated for this purpose should also not be filmed or photographed. However, the parish council cannot guarantee that anyone will not be filmed or photographed.
- d) Any person intending to report should give notice before the commencement of the meeting to the clerk or chairman of the meeting. This will enable reasonable facilities to be afforded.
- e) A notice indicating that meetings may be reported by use of filming etc. will be displayed at the meeting venue and a statement about reporting will also be included in agendas of meetings.
- f) At the start of each meeting the clerk or chairman will announce that proceedings may be filmed, photographed or recorded and invite any members of the public not wishing to be filmed or photographed to move to a designated area.
- g) Any filming or recording of meetings should be conducted overtly from a fixed point in an area of the room specified by the clerk or chairman.
- h) Live oral commentary will not be permitted at any time.**
- i) Use of flash photography or additional lighting will not be allowed unless agreement has been reached in advance of the meeting.
- j) Recordings will not be made during any part of the meeting when the public and press are excluded.**
- k) Persons reporting on a meeting who act improperly or in a disruptive manner could be excluded from the meeting. Disruptive would include any action or activity which disrupts the conduct of the meeting or impedes other members of the public from being able to see, hear or film, etc. the proceedings. This might include:
- Moving outside designated areas
 - Excessive noise
 - Intrusive lighting and flash photography
 - Asking people to repeat for the purposes of recording
 - Failure to observe this protocol
- l) Those reporting on meetings should not edit the recordings, films or photographs in a way that could lead to misinterpretation of the proceedings.** This includes refraining from editing an image or views expressed in a way that may ridicule or show a lack of respect towards those being so recorded.

proceedings. This includes refraining from editing an image or views expressed in a way that may ridicule or show a lack of respect towards those being so recorded.

- m) **Recording and reporting the council's meetings is subject to the law and it is the responsibility of those recording and reporting to ensure compliance, including data protection and defamation. They will be responsible for any allegations of breaches of the law which may result from their use of recorded material and are admitted to the council meeting on the basis that they accept this responsibility. The council reserves the right to initiate legal proceedings in appropriate circumstances.**
- n) **The council takes no responsibility for any recording made by others. It also takes no responsibility where a recording which it makes is subsequently used by any third party. Any third party making or editing a recording of a meeting shall in doing so be taken to have indemnified the council against all actions, proceedings, costs, claims, demands, liabilities, losses and expenses whatsoever relating to the making or use of that recording.**
- o) **The council asserts no copyright or control over recordings of meetings made by itself or others whilst on council premises.**
- p) Archived recordings that may have been made by the council will be available on request.

4. Media Policy

- a) The parish council is committed to the provision of accurate information about its governance, decisions and activities. Where this information is not available via any publicity scheme operated by the council, the media should contact the clerk.
- b) The council shall, where possible, co-operate with those whose work involves gathering material for publication in any form, including use of the internet, generally known as the media.
- c) **This policy is subject to the council's obligations which are set out in the Public Bodies (Admission to Meetings) Act 1960, Local Government Acts 1972 & 1986, Freedom of Information Act 2000, Data Protection Act 1998 and other legislation which may apply as well as the council's own Standing Orders and Financial Regulations.**
- d) **The council cannot disclose confidential information or information the disclosure of which is prohibited by law. The council cannot disclose information if this is prohibited under the terms of a court order, by legislation, the council's Standing Orders, under contract or by common law. Councillors are subject to additional restrictions about the disclosure of confidential information which arise from the Code of Conduct adopted by the council.**
- e) Where a meeting of the council and its committees includes an opportunity for public participation, the media may speak and ask questions, as may be regulated by the council's Standing Orders in respect of public participation.
- f) **All media attending a meeting of the council or its committees are regulated by the council's *Protocol for the Reporting at Meetings of the Council or Committees*.**
- g) The council's communications with the media seek to represent the corporate position and views of the council. If the views of councillors are different to the council's corporate position and views, they will make this clear.

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- h) The clerk may contact the media if the council wants to provide information, a statement or other material about the council.
- i) Subject to the obligations on councillors not to disclose confidential information as defined above and not to misrepresent the council's position, councillors are free to communicate their position and views.

5. Code of Conduct

In accordance with S26 to S37 of the Localism Act 2011 on 5 July 2012 the Parish Council resolved to adopt the Suffolk Local Code of Conduct for the purposes of discharging its duty to promote and maintain high standards of conduct within its area. The Code of Conduct shall apply to all elected members and any co-opted members entitled to vote on any decisions of the council or its committees, sub committees or joint committees when acting in their capacity as a member of the Council.

The Suffolk Local Code of Conduct shall be interpreted in accordance with the following seven principles of public life identified by the Committee on Standards in Public Life chaired by Lord Nolan:

Selflessness - *Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.*

Integrity - *Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.*

Objectivity - *In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.*

Accountability - *Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.*

Openness - *Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.*

Honesty - *Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.*

Leadership - *Holders of public office should promote and support these principles by leadership and example.*

- a) You must treat others with respect.
- b) You must not:
- i) do anything which may cause the parish council to breach any of its duties under the Equality Act 2010;
 - ii) bully any person;
 - iii) intimidate or attempt to intimidate any person who is or is likely to be:
 - a) a complainant,
 - b) a witness, or
 - c) involved in the administration of any investigation or proceedings

- b) a witness, or
- c) involved in the administration of any investigation or proceedings, in relation to an allegation that a member (including yourself) has failed to comply with this code of conduct.
- c) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the parish council.
- d) You must not:
 - disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where:
 - (i) you have the consent of a person authorised to give it;
 - (ii) you are required by law to do so;
 - (iii) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or
 - (iv) the disclosure is reasonable and in the public interest; and made in good faith and in compliance with the reasonable requirements of the parish council; or
 - v) prevent another person from gaining access to information to which that person is entitled by law
- e) You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.
- f) You:
 - i) must not use or attempt to use your position as an elected member or co-optee improperly to confer on or secure for yourself or any other person, an advantage or disadvantage; and
 - ii) must, when using or authorising the use by others of the resources of the parish council:
 - a) act in accordance with the Parish Council's reasonable requirements;
 - b) ensure that such resources are not used improperly for political purposes (including party political purposes); and
 - c) must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.
- g) When reaching decisions on any matter you must have regard to any relevant advice provided to you by:
 - i) your parish council's Responsible Financial Officer and Clerk;
 - ii) any other officer, including the District Council's monitoring officer, where that officer is acting pursuant to his or her statutory duties.
- h) You must give reasons for all decisions in accordance with any statutory

duties.

- h) You must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by your authority.

6. Registration of Interests

- a) You must register within 28 days of becoming a member of the parish council (and to notify the District Council's Monitoring Officer of any changes within 28 days) any Disclosable Pecuniary Interests you may have for publication in the Register of Members' Interests.
- b) You may not at any time discharge any function or participate in any parish council business or discussions, or vote on any issues that relate to or concern any of your pecuniary interests where you are aware that you have a relevant Disclosable Pecuniary Interest. You may not remain in the chamber or meeting room or in the public gallery when any matter that relates to any of your Disclosable Pecuniary Interest is under discussion or debate, *unless* you have requested a dispensation from the Proper Officer or clerk and the council or relevant committee has agreed and minuted it in advance of the business or discussion.
- c) You must register within 28 days of becoming a member of the parish council and to notify your District Council's Monitoring Officer of any changes within 28 days any Local Non Pecuniary Interests, but you may participate in any discussions or debates relating or concerning any of your non-pecuniary interests after the date of registration.
- d) You must declare any Disclosable Pecuniary Interests or Local Non Pecuniary Interests to a meeting where business is relevant to those interests, including those interests that are already registered with the Monitoring Officer or where registration is pending.
- e) You must register, within 28 days, any gifts and hospitality received by you in accordance with any instructions issued within your parish council by the Monitoring Officer.
- f) The parish council's Register of Interests will be available for inspection at Suffolk Coastal District during normal office hours, and will be published on the District Council's website.
- g) You may also apply to your council's Monitoring officer for non-publication of the full details of any of your Disclosable Pecuniary Interests or Local Non Pecuniary Interests where you reasonably believe that publication of particular details could result in you being subjected to violence or intimidation. In considering such applications the Monitoring Officer shall have regard to any representations made by you in determining whether he or she considers the relevant Interest should be treated as a Sensitive Interest and excluded from the published version of the Register of Members' Interests.
- h) Description of categories of Disclosable Pecuniary Interests:

- 1 Any employment, office, trade, profession or vocation carried on for profit or gain.

- 1 Any employment, office, trade, profession or vocation carried on for profit or gain.
- 2 Any payment or provision of any other financial benefit (other than from the parish council) made or provided within the relevant period in respect of any expenses incurred in carrying out your duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992 other than from a registered political party.
- 3 Any beneficial interest in securities of a body where:
 - i) that body (to your knowledge) has a place of business or land in the area of the parish council and either the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant persons has beneficial interest exceeds one hundredth of the total issued share capital of that class.
- 4 Any contract which is made between the relevant person, or a body in which they have a beneficial interest, and the parish council under which goods or services are to be provided or works are to be executed; and which has not been fully discharged.
- 5 Any beneficial interest in any land in the parish council's area.
- 6 Any tenancy where to your knowledge the landlord is the parish council and the tenant is a body in which a relevant person has a beneficial interest.
- 7 Any licence (alone or jointly with others) to occupy land in the parish council's area for a month or longer.

i) Description of categories of Local Non Pecuniary Interests:

- 1 Any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by the council;
- 2 Any body:
 - (a) exercising functions of a public nature;
 - (b) directed to charitable purposes; or
 - (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union); of which you are a member or in a position of general control or management;
- 3 **Any person from whom you have received a gift or hospitality with an estimated value of at least £25.**

7. Voting.

- a) **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors with voting rights present and voting.**
- b) **The chairman of a meeting may give an original vote on any matter put**

voting.

- b) **The chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote.**
- c) **Unless Standing Orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.**
- d) **If at least two councillors present at the meeting so request, voting may be by signed ballot instead of by show of hands. Such request must be made before the vote takes place.**
- e) **A councillor who has a disclosable pecuniary interest or another interest as set out in the council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.**
- f) **At the annual meeting, if the person presiding at the annual meeting would have ceased to be a member of the council, but for the statutory provisions which preserve the membership of the chairman and vice-chairman until the end of their term of office, he may not give an original vote in an election for chairman.**
- g) **The person presiding at the annual meeting must give a casting vote whenever there is an equality of votes in an election for chairman.**

8. The Statutory Annual Meeting

- a) **In an election year shall be held on or within 14 days following the day on which the councillors elected take office and**
- b) **In a year which is not an election year shall be held on such day in May as the Council may direct.**
- c) **In addition to the Statutory Annual Meeting at least three other statutory meetings shall be held in each year on such dates and times and at such place as the Council may direct.**

9. Chairman of the Meeting

- a) **Subject to Standing Orders which indicate otherwise, anything authorised or required to be done by, to or before the chairman of the council may in his absence be done by, to or before the vice-chairman of the council (if any).**
- b) **The chairman, if present, shall preside at a meeting. If the chairman is absent from a meeting, the vice-chairman, if present, shall preside. If both the chairman and the vice-chairman are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**
- c) **The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.**

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10. Minutes

The minutes of a meeting shall include an accurate record of the following:

- i) time and place of the meeting;
- ii) names of councillors present and absent;
- iii) interests declared by councillors;
- iv) a councillor leaving the meeting when matters they had interests in were considered;
- v) if there was a public participation session;
- vi) any resolutions made.

11. Proper Officer

Where a statute, regulation or order confers function or duties on the Proper Officer of the council in the following cases, he shall be the clerk or such other officer as may be nominated, to:

- i) receive declarations of acceptance of office;
- ii) receive and record notices disclosing personal and prejudicial interests;
- iii) receive and retain plans and documents;
- iv) sign notices or other documents on behalf of the Council;
- v) receive copies of bylaws made by a District Council;
- vi) certify copies of bylaws made by the Council;
- vii) sign and issue the summons to attend meetings of the Council;
- viii) keep proper records for all Council meetings.

12. Quorum of the Council

a) No business may be transacted at a meeting unless at least one-third of the whole number of members of the council are present and in no case shall the quorum of a meeting be less than three.

b) If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.

(c) Except where otherwise ordered by the council in the case of a committee or sub-committee, the quorum of a committee or sub-committee shall be one-half of its members.

13. Order of Business

At each Annual Parish Council Meeting the first business shall be

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At each Annual Parish Council Meeting the first business shall be:-

- a) **To elect a Chairman of the Council**
- b) **To receive the Chairman's declaration of acceptance of office or, if not then received, to decide when it shall be received.**
- c) **In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.**
- d) **To decide when any declarations of acceptance of office which have not been received as provided by law shall be received.**
- e) To elect a Vice-Chairman of the Council and other officers.
- f) To appoint representatives to outside bodies.
- g) To appoint committees and sub-committees.
- h) To inspect any deeds and trust investments in the custody of the Council as required;
and shall thereafter follow the order set out below:

At every meeting other than the Annual Parish Council Meeting the first business shall be to appoint a Chairman if the Chairman and Vice-Chairman be absent and to receive such declarations of acceptance of office (if any) and undertaking to observe the Council's code of conduct as required by law to be made or, if not then received, to decide when they shall be received.

i) In every year, not later than the meeting at which the estimates for next year are settled, the Council shall review the pay and conditions of service of existing employees. If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service, of any person employed by the Council, it shall not be considered until the Council or committee (as the case may be) has decided whether or not the public shall be excluded.

- ii) After the first business has been completed, the order of business, unless the Council otherwise decides on the ground of urgency, shall be as follows:
 - a) To read and consider the minutes; provided that if a copy has been circulated to each member not later than the day of issue of the summons to attend the meeting, the minutes may be taken as read.
 - b) **After consideration to approve the signature of the minutes by the person presiding as a correct record.**
 - c) **To deal with business expressly required by statute to be done.**
 - d) To dispose of business, if any, remaining from the last meeting.
 - e) To receive such communications as the person presiding may wish to lay before the council.
 - f) To answer questions from councillors.

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- g) To receive and consider reports and minutes of committees.
- h) To receive and consider resolutions or recommendations in the order in which they have been notified.
- i) If necessary, to authorise the signing of orders for payment.

14. Urgent Business

A motion to vary the order of business on the ground of urgency:

- a) may be proposed by the chairman or by any member and, if proposed by the chairman, may be put to the vote without being seconded, and
- b) shall be put to the vote without discussion.

15. Resolutions Moved On Notice

Except as provided by these Standing Orders, no resolution may be moved unless the business to which it relates has been put on the agenda by the clerk or the mover has given notice in writing of its terms and has delivered the notice to the clerk at least seven clear days before the next meeting of the council.

- a) The clerk together with the chairman (or vice-chairman) shall prioritize the motions and agenda items in the summons to each meeting, giving due consideration to the order in which they have been received.
- b) If a resolution or recommendation specified in the summons is not moved either by the member who gave notice of it or by any other member, it shall, unless postponed by the council, be treated as withdrawn and shall not be moved without fresh notice.
- c) If the subject matter of a resolution comes within the province of a committee of the council, it shall, upon being moved and seconded, stand referred without discussion to such committee or to such other committee as the council may determine for report; provided that the chairman, if he considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.
- d) Every resolution or recommendation shall be relevant to some subject over which the council has power or duties which affects its area.

16. Resolutions Moved Without Notice

Resolutions dealing with the following matters may be moved without notice:-

- a) To appoint a Chairman of the meeting.
- b) To correct the Minutes.
- c) To approve the Minutes.
- d) To alter the order of business.
- e) To proceed to the next business.
- f) To close or adjourn the debate.
- g) To refer a matter to a committee.
- h) To appoint a committee or any members thereof.
- i) To adopt a report.
- j) To amend a motion.
- k) To give leave to withdraw a resolution or amendment.

- i) To adopt a report.
- j) To amend a motion.
- k) To give leave to withdraw a resolution or amendment.
- l) To extend the time limit for speeches.
- m) To exclude the public.
- n) To silence or eject from the meeting a member named for misconduct.
- o) To give the consent of the Council where such consent is required by these Standing Orders.
- p) To suspend any Standing Order.
- q) To adjourn the meeting.

17. Questions

A member may ask the chairman of the council or the clerk any question concerning the business of the council, provided seven clear days' notice of the question has been given to the person to whom it is addressed.

- (a) No questions not connected with business under discussion shall be asked except during the part of the meeting set aside for questions.
- (b) Every question shall be put and answered without discussion.
- (c) A person to whom a question has been put may decline to answer.

18. Rules of Debate

a) No discussion shall take place upon the minutes except upon their accuracy. Corrections to the minutes shall be made by resolution and must be initialled by the chairman, or else the clerk will provide a further fair copy for signature, as directed by the chairman.

b) A resolution or amendment shall not be discussed unless it has been proposed and seconded, and, unless proper notice has already been given, it shall, if required by the chairman, be reduced to writing and handed to him before it is further discussed or put to the meeting.

c) A member when seconding a resolution or amendment may, if he then declares his intention to do so, reserve his speech until a later period of the debate.

d) A member shall direct his speech to the question under discussion or to a personal explanation or to a question of order.

e) No speech by a mover of a resolution shall exceed 3 minutes and no other speech shall exceed 5 minutes except by consent of the council.

f) An amendment shall be either to: leave out words; leave out words and insert others; insert or add words.

g) An amendment shall not have the effect of negating the resolution before the council.

h) If an amendment be carried, the resolution, as amended, shall take the place of the original resolution and shall become the resolution upon which any further amendment may be moved.

i) A further amendment shall not be moved until the council has disposed of every amendment previously moved.

j) The mover of a resolution or of an amendment shall have a right of reply not exceeding 3 minutes.

j) The mover of a resolution or of an amendment shall have a right of reply, not exceeding 3 minutes.

k) A member, other than the mover of a resolution, shall not, without leave of the council, speak more than once on any resolution except to move an amendment or further amendment, or on an amendment, or on a point of order, or in personal explanation, or to move a closure.

l) A member may speak on a point of order or a personal explanation. A member speaking for these purposes shall be heard forthwith. A personal explanation shall be confirmed to some material part of a former speech by him which may have been misunderstood.

m) A motion or amendment may be withdrawn by the proposer with the consent of the council, which shall be signified without discussion, and no member may speak upon it after permission has been asked for its withdrawal unless such permission has been refused.

n) When a resolution is under debate no other resolution shall be moved except:

- i) To amend the resolution.
- ii) To proceed to the next business.
- iii) To adjourn the debate.
- iv) That the question be now put.
- v) That a member named be not further heard.
- vi) That a member named leaves the meeting.
- vii) That the resolution be referred to a committee.
- viii) To exclude the public and press.
- ix) To adjourn the meeting.

o) A member shall remain seated when speaking unless requested to stand by the chairman.

p) The ruling of the chairman on a point of order or on the admissibility of a personal explanation shall not be discussed.

q) Members shall address the chairman. If two or more members wish to speak, the chairman shall decide who to call upon.

r) Whenever the Chairman speaks during a debate all other members shall be silent.

19. Closure

At the end of any speech a member may, without comment, move "that the question be now put", "that the debate be now adjourned" or "that the council do now adjourn". If such motion is seconded, the chairman shall put the motion but, in the case of a motion "that the question be now put", only if he is of the opinion that the question before the council has been sufficiently debated. If the motion "that the question be now put" is carried, he shall call upon the mover to exercise or waive his right of reply and shall put the question immediately after that right has been exercised or waived. The adjournment of a debate or of the council shall not prejudice the mover's right of reply at the resumption.

20. Disorderly Conduct

a) **All members must observe the Suffolk Local Code of Conduct consequent upon the Localism Act 2011 which was adopted by the**

- a) **All members must observe the Suffolk Local Code of Conduct consequent upon the Localism Act 2011, which was adopted by the council on 5 July 2012.**
- b) **No member shall at a meeting persistently disregard the ruling of the Chairman, wilfully obstruct business, or behave irregularly, offensively, improperly or in such a manner as to bring the council into disrepute.**
- c) If, in the opinion of the chairman, a member has broken the provisions of paragraph 18 (a) or (b) of these Orders, the chairman shall express that opinion to the council and thereafter any member may move that the member named be no longer heard or that the member named do leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion. **If a member reasonably believes another member is in breach of the code of conduct, that member is under a duty to report the breach to the Monitoring Officer of the District Council.**
- d) If 18 (c) is disobeyed, the chairman may suspend the meeting or take such further steps as may reasonably be necessary to enforce them.

21. Right of Reply

The mover of a resolution shall have a right to reply immediately before the resolution is put to the vote. If an amendment is proposed the mover of the amendment shall be entitled to reply immediately before the amendment is put to the vote. A member exercising a right of reply shall not introduce a new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

22. Alteration of Resolution

A member may, with the consent of his seconder, move amendments to his own resolution.

23. Rescission of Previous Resolution

- a) A decision (whether affirmative or negative) of the Council shall not be reversed within six months except either by a special resolution, the written notice whereof bears the names of at least one-third of members of the Council, or by a resolution moved in pursuance of the report or recommendation of a committee.
- b) When a special resolution or any other resolution moved under the provisions of paragraph (a) of this Order has been disposed of, no similar resolution may be moved within a further six months.

24. Voting On Appointments

Where more than two persons have been nominated for any position to be filled by the council and of the votes given there is not an absolute majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken, and so on until a majority of votes is given in favour of one person.

25. Resolutions on Expenditure

Any resolution (which is moved otherwise than in pursuance of a

25. Resolutions on Expenditure

Any resolution (which is moved otherwise than in pursuance of a recommendation of the Finance Committee or of another committee after recommendation by the Finance Committee) and which, if carried, would, in the opinion of the chairman substantially increase the expenditure upon any service which is under the management of the council or reduce the revenue at the disposal of any committee, or which would involve capital expenditure, shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the council, and any committee affected by it shall consider whether it desires to report thereon (and the Finance Committee shall report on the financial aspect of the matters).

26. Expenditure

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

27. Sealing of Documents

The Council has no Common Seal.

28. Committees and Sub Committees

a) The council may at its Annual Meeting appoint standing committees and may at any other time appoint such other committees as are necessary clearly defining roles of the committees and any delegated powers, but subject to any statutory provision in that behalf:

- i) shall not appoint any member of a committee so as to hold office later than the next Annual Meeting;
 - ii) may appoint persons other than members of the council to any committee other than a committee controlling finances of the council;
 - iii) may at any time dissolve or alter the membership of committee.
- b) The chairman and vice-chairman ex-officio shall be members of every committee.
- c) Every committee shall at its first meeting before proceeding to any other business, elect a chairman and may elect a vice-chairman who shall hold office until the next Annual Meeting of the council, and shall settle its programme of meetings for the year.

29. Special Meeting

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

30. Sub-Committees

30. Sub-Committees

- a) Every committee may appoint sub-committees for purposes to be specified by the committee.
- b) The chairman and vice-chairman of the committee shall be members of every sub-committee appointed by it unless they signify that they do not wish to serve.
- c) The Standing Orders on rules of debate (except those parts relating to standing and to speaking more than once) and the Standing Order on interests of members in contracts and other matters shall apply to committee and sub-committee meetings.

31. Advisory Committees

- a) The council may create advisory committees, whose name, and number of members and the bodies to be invited to nominate members shall be specified.
- b) The clerk shall inform the members of each advisory committee of the terms of reference of the committee.
- c) An advisory committee may make recommendations and give notice thereof to the council
- d) An advisory committee may consist wholly of persons who are not members of the council.

32. Voting in Committees

- a) **Members of committees and sub-committees entitled to vote shall by show of hands, or, if at least two members so request, by signed ballot.**
- b) **Chairmen of committees and sub-committees shall in the case of an equality of votes have a second or casting vote.**

33. Presence of Non-Members of Committees at Committee Meetings

A member who has proposed a resolution which has been referred to any committee of which he is not a member, may explain his resolution to the committee but shall not vote.

34. Accounts and Financial Statement

- a) All accounts for payment and claims upon the council shall be laid before the council.
- b) Where it is necessary to make a payment before it has been authorised by the council, such payment shall be certified as to its correctness and urgency by the clerk as Responsible Financial Officer. Such payment shall be authorised by the committee, if any, having charge of the business to which it relates, or by the Responsible Financial Officer for payment with the approval of the chairman or vice-chairman of the council.
- c) All payments so ratified shall be separately included in the next schedule of payments before the council.

c) All payments so ratified shall be separately included in the next schedule of payments before the council.

d) The Responsible Financial Officer shall supply to each member as soon as practicable after 31 March in each year a statement of the receipts and payments for the council for the completed financial year. The statement of accounts of the council (which is subject to independent internal and external audit) shall be presented to council for formal approval before the end of the following month of September, or whenever the Audited Annual Return is completed.

e) **From 1 July 2015 and thereafter not less than annually and not later than 1 July in the year immediately following the accounting year to which it relates, the council should publish the following:**

i) **all transactions/items of expenditure above £100 (where possible excluding VAT) which confirms the date that the expenditure was incurred, a summary of the purpose of the expenditure, the amount and the VAT that cannot be recovered;**

ii) **end of year accounts;**

iii) **annual governance statement;**

iv) **internal audit report;**

v) **list of councillor responsibilities, and**

vi) **details of public land and building assets.**

35. Estimates / Precepts

a) The council shall approve written estimates for the coming financial year at its meeting in the month of November.

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

36. Canvassing of and Recommendations by Members

a) Canvassing of members of the council or of any committee, directly or indirectly, for any appointment under the council shall disqualify the candidate for such appointment. The purport of this sub-paragraph of this Standing Order shall be made known to every candidate.

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

c) If a candidate for any appointment under the council is to his knowledge related to any member of or the holder of any office under the council, he and the person to whom he is related shall disclose the relationship in writing to the clerk; a candidate who fails so to do shall be disqualified for such appointment, and, if appointed, may be dismissed without notice. The clerk shall report to the council or to the appropriate committee any such disclosure. The content of this

disqualified for such appointment, and, if appointed, may be dismissed without notice. The clerk shall report to the council or to the appropriate committee any such disclosure. The content of this standing order shall be made known to every candidate.

- d) These Standing Orders shall apply to tenders as if the person making the tender were a candidate for an appointment.

37. Inspection of Documents

a) A member may for the purpose of his duty as such (but not otherwise), inspect any document in possession of the council or a committee, and if copies are available shall, on request, be supplied for the like purpose with a copy.

b) All minutes kept by the council and by any committee shall be open for the inspection of any member of the council.

38. Unauthorised Activities

No member of the council or of any committee or sub-committee shall in the name of or on behalf of the council inspect any lands or premises which the council has a right or duty to inspect; or issue orders, instructions or directions unless authorised to do so by the council or the relevant committee or sub-committee.

39. Confidential Business

a) No member of the council or of any committee or sub-committee shall disclose to any person not a member of the council any business declared to be confidential by the council, the committee or the sub-committee as the case may be.

b) Any member in breach of the provisions of paragraph (a) of this Standing Order shall be removed from any committee or sub-committee of the council by the council.

40. Liaison with County and District Councillors

a) A notice of meeting shall be sent together with an invitation to attend to the County or District Councillor for the appropriate division or ward.

b) Unless the Council otherwise orders, a copy of each letter ordered to be sent to the County Council or Planning Authority may be transmitted to the County Councillor for the division and to the District Councillor for the ward as the case may require.

41. Planning Applications

a) The clerk shall, as soon as it is received, enter in a register kept for the purpose the following particulars of every planning application notified to the Council:

- the date on which it was received ;
- the name of the applicant;
- the place to which it relates.

b) The clerk shall place every planning application received on the agenda for the next available meeting of the council or arrange an interim meeting of the

b) The clerk shall place every planning application received on the agenda for the next available meeting of the council or arrange an interim meeting of the council acting as a planning committee, whichever may be the earliest and most appropriate.

c) Notices of meetings together with an agenda shall be posted on the council's notice boards and a request made for the notice and/or agenda to be publicised on the Cookpole News website as soon as possible after receipt of each application.

d) At the direction of the chairman a special public meeting may be called by the council, to be attended by the applicant, if the scale of the proposed development or potential controversy renders this appropriate.

42. Financial Matters

a) The Council shall consider and approve any Financial Regulations drawn up by the Responsible Financial Officer. Such Regulations shall include detailed arrangements for the following:

- i. the accounting records and systems of internal control;
- ii. the assessment and management of risks faced by the council;
- iii. the work of the Internal Auditor and the receipt of a report from the Internal Auditor which shall be required annually;
- iiii. the financial reporting requirements of members and local electors and
- v. procurement policies including the setting of values for different procedures where the contract has an estimated value less than £60,000.

b) Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £60,000 shall be procured on the basis of a formal tender as summarised below:

- i) public notice of intention to place a contract to be placed in a local newspaper;
- 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 clerk by a stated date and time;
- iv) tenders submitted are to be opened, after the stated closing date and time, by the clerk and at least one member of council;
- v) tenders are then to be assessed and reported to the appropriate meeting of council or committee.

c) The council, or any committee, is not bound to accept the lowest tender, estimate or quote. Any tender notice shall contain a reference to the Standing Orders regarding improper activity.

d) The Financial Regulations of the Council shall be subject to regular review.

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)

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.

43. Complaints

The council shall deal with complaints of maladministration allegedly committed by the council or by any officer or member in such manner as adopted by the council except for those complaints which should be properly directed to the Monitoring Officer of the District Council for consideration.

44. Variation, Revocation and Suspension of Standing Orders

a) Any or every part of the Standing Orders except those printed in **bold type** may be suspended by resolution in relation to any specific item of business.

b) A resolution permanently to add, vary or revoke a Standing Order shall when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the council.

45. Standing Orders to be Given to Members

A copy of these Standing Orders shall be given to each member by the clerk upon delivery to him of the member's declaration of acceptance of office and written undertaking to comply with the Code of Conduct adopted by the council.

Chairman

Date