

## **STANDING ORDERS**

### **Caerwent Community Council**

#### **1. Chair**

- a) The Chair will be appointed at the Annual General Meeting.
  
- b) The Council shall appoint a Councillor to Chair provided that they have been adjudged by Council to have completed at least three years of competent and Code of Conduct compliant service on the Community Council. The Chair will undertake to complete the Charing Skills and Code of Conduct training courses.

#### **1.1. Charing Meetings**

- a) The Chair of the Council (or in their absence the Vice Chair, if there is one) shall chair or preside meetings of the Council.
  
- b) In the event that the persons normally expected to preside the meeting are not able to, those members present should decide who amongst them shall preside. The Clerk should supervise the selection by inviting nominations and putting them to the vote. Where a Chair has to be selected, the meeting starts when the selection decision is made. The minutes should record the selection of the Chair.

#### **2. Vice-Chair**

- a) The Council shall appoint a Councillor to Vice Chair provided that they have been adjudged by Council to have completed at least two years of competent and Code of Conduct compliant service on the Community Council. The Vice Chair will undertake

to complete the Chairing Skills and Code of Conduct training courses.

The Vice Chair, if still a member of the Council, will at the following Annual General Meeting automatically take the position of Chair unless they specifically request not to.

- b) The Vice Chair shall be appointed at the Annual General Meeting.
- c) The Vice Chair may, if for any reason the Chair is unable to act, or the office of Chairman is vacant, discharge all functions which the Chair as such might discharge except that he shall not take the Chair of the Council at a meeting of it unless specifically appointed to do so.

### **3. Meetings**

- a) Meetings of the Council shall be held at monthly intervals at 7.00 p.m. and should not exceed 2 hours in duration
- b) The Statutory Annual Meeting in an election year shall be held on, or within fourteen days after the day on which the Councillors elected at the election take office and in any other year the annual meeting shall be held on such a day in May as the Council may determine.
- c) An extraordinary meeting of the council may be called at any time by the Chair.

If the Chair refuses to call an extraordinary meeting of the Council after, requisition for that purpose, signed by two Councillors has been presented to him, or if, without refusing, the Chair does not call an extraordinary meeting within seven days after such requisition has been presented to him, any two members of the Council, on that refusal or on the expiration of those seven days, as the case may be, may forthwith convene an extraordinary meeting of the Council.

d) Three clear days notice at least should be given before a meeting of the Council.

- i. Notice of the time and place of the intended meeting shall be fixed in a prominent place in the community and shall specify the business proposed to be transacted at the meeting.
- ii. A summons to attend the meeting, specifying the business proposed to be transacted at the meeting shall be sent by post or electronically to the usual place of residence of every member of the Council.

#### **4. Chair of the Meeting**

The person presiding at the meeting may exercise all the powers and duties of the Chair in relation to the conduct of the meeting.

#### **5. Proper Officer**

Where a statute regulation or order confers functions or duties on the Proper Officer of the Council in the following cases, the Proper Officer shall be the Clerk.

- a) To receive and record declarations and acceptance of office.
- b) To receive and record notices disclosing pecuniary interests.
- c) To receive and retain plans and documents.
- d) To sign notices and other documents on behalf of the Council.
- e) To receive copies of bylaws made by the Principal Authority.
- f) To attest copies of bylaws made by the Principal Authority.
- g) To sign summonses to attend meetings of the Council

#### **6. Quorum**

- a) Three members shall constitute a quorum. A resolution to suspend any part of the Standing Orders shall be adopted only by two thirds of the votes cast on the motion.

- b) If a quorum is not present when the Council meets or if during the meeting the number of Councillors falls below the quorum, the business not transacted at that meeting shall be transacted at the next meeting or on such day as the Chair may arrange.

## **7. Voting**

Voting at meetings shall be by show of hands, or, if the Council so decides, by secret ballot.

- a) A member may request a recorded vote; the request must be made before the vote is taken. The Clerk shall record the names of the members who voted on the question so as to show whether they voted for or against.
- b) Save as in hereafter provided, the Chair may vote as a Councillor on any matter, and in the event of an equality of votes he or she shall exercise his or her casting vote.
- c) In the case of equality of votes, the Chair may give a casting vote.

## **8. Order of Business (Annual General Meeting)**

Newly elected councillors are required to make Declarations of Acceptance of Office before acting. In an election year they should do this in the presence of each other or of the Clerk before the Annual Meeting begins.

At each Annual Meeting the first business shall be:

- a) To elect a Chair.
- b) To receive the Chair's declaration of acceptance of office.

- c) If the person elected Chair is absent a Chair must be appointed by the Council for the meeting.
- d) To elect a Vice Chair.
- e) To nominate and appoint members who represent the Council on outside bodies.
- f) To appoint statutory committees, standing committees and working groups where necessary.

### **9. Order of Business (Ordinary Meeting)**

- a) To receive such declaration of acceptance of office (if any) as are required by law.
- b) After the first business has been completed the order of business; unless the Council otherwise decides on the grounds of urgency, shall be as follows:
  - i. To read and consider the minutes provide that if a copy has been circulated to each member not later than the day of issue of summons to attend the meeting, the minutes shall be taken as read.
  - ii After consideration to approve the minutes by signature of the presiding Chair as a correct record.
  - iii To deal with business expressly required by statute to be done.
  - iv To receive such communications as the presiding Chair may wish to lay before the Council.
  - v To answer any questions.

- v To dispose of any business, if any, remaining from the last meeting.
  
- vii To receive and consider reports and minutes of committees, advisory committees and working groups.
  
- viii To receive and consider reports from officers of the Council.
  
  
- c) The Chair may vary the order of business without requiring voting or discussion.

#### **10. Resolutions Moved without Notice**

The following matters may be moved without notice:

- a) To appoint a Chair of a meeting.
- b) To correct the minutes.
- c) To alter the order of business.
- d) To proceed to the next business.
- e) To refer a matter to a committee or working group.
- f) To appoint a committee or working group members
- g) To adopt a report.
- h) To amend a motion.
- i) To give leave to withdraw a motion or amendment.
- j) To consider otherwise than in committee a question affecting an employee of the Council.
- k) To exclude the press.
- l) To exclude the public.
- m) To silence or reject from the meeting a member named for misconduct.

#### **11. Motions Requiring Written Notice**

- a. No motion may be moved at a meeting unless it is included in the agenda.
- b. The Proper Officer may, before including a motion in the agenda, correct obvious grammatical or typographical errors in the wording of the motion.
- c. If the Proper Officer considers the wording of a motion received is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer in clear and certain language at least 8 clear days before the meeting.
- d. If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Chair 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.
- e. Having consulted the Chair or Councillors the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.
- f. The Chair, in consultation with the Proper Officer, may agree to include any urgent motions on the agenda.

## **12. Questions**

- a) A member may ask the Chair any questions concerning the business of the Council.
- b) A member with or without notice may ask the Chair of a committee any question.
- e) Where the reply to a question cannot be answered immediately, it shall be sufficient for the reply to be circulated to members of the Council with

the minutes of the meeting at which the question was asked.

### **13. Disorderly Conduct**

- a) No member shall misconduct himself by persistently disregarding the ruling of the Chair, by wilfully obstructing business, or by behaving irregularly, offensively, improperly or in such a manner as to scandalise the Council or bring it into contempt or ridicule.
- b) If in the opinion of the Chair, a member has so misconducted himself, the Chair, 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 without discussion.
- c) If either of the motions mentioned in paragraph (b) is disobeyed, the Chair may suspend the meeting or take such further steps as may reasonably be necessary to enforce them.

### **14. Right to Reply**

The mover of a resolution shall have a right to reply immediately before the resolution is put to the vote. If 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.

### **15. Alteration of Resolution.**

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

### **16. Rescissions of Previous Resolution**

- a) A decision (whether affirmative or negative) of the Council shall not be reversed within six months save by a special resolution, the written notice whereof bears the



names of a least four members of the Council.

- b) When a special resolution has been disposed of, no similar resolution may be moved within six months.
- c) This standing order shall not apply to resolutions moved in pursuance of the report or recommendation of a committee or working group.

### **17. Voting on Appointments**

Where more than two persons having 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 votes shall be struck off the list and a fresh vote taken, and so on until a majority of votes is given of one person.

### **18. Discussion and Resolutions Affecting Employees of the Council**

If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or condition of service, of any person employed by the Council, it shall not be considered until the Council has decided whether or not the public and press shall be excluded.

### **19. Expenditure**

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

### **20. Committee, Sub-Committees and Working Groups**

The Council may at the Annual Meeting appoint standing committees and working groups and may at any other time appoint such other committees as are necessary, but subject to any statutory provision in that behalf.

- a) Shall not appoint any member of a committee/working group so as to hold office later than the next Annual Meeting, and
- b) at any time dissolve or alter the membership of a committee/working group

- c) Every committee/working group shall at its first meeting before proceeding to other business, elect a Chair and may elect a Vice Chair who shall hold office until the next Annual Meeting of the Council.
- d) Every committee may appoint sub-committees for the purpose specified by the committee.
- e) Except where ordered by the Council in the case of a committee or by the Council or the appropriate committee in the case of sub-committee, the quorum of a Committee, sub-committee or working group shall be three members.
- f) The Standing Order on interests of members in contracts and other matters shall apply to committee. sub-committees and working groups insofar as they are appropriate.
- g) Committees have no delegated powers and all recommendations should go to full Council.

## **21. Advisory Committees**

- a) The Council may appoint advisory committees.
- 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.

## **22. Voting in Committees**

- a) Voting in committees shall be by show of hands.
- b) Chairs of committees and sub-committees shall have a second or casting vote.

### **23. Presence of Non-members of Committees at Committee Meetings**

- a) A member who has proposed a motion which has been referred to any committee of which he is not a member, may explain his motion to the committee but shall not vote.
- b) Any council member shall, unless the Council otherwise order, be entitled to be present as an observer at the meetings of any committee or sub-committee of which he is not a member.

### **24. Accounts and Financial Statements.**

- a) Except as provided in paragraph (b) of this Standing Order or by statute, 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 appropriate officer, and payment shall be authorised by the Committee, if any, having charge of the business to which it relates or by the Chair or Vice Chair.
- c) All payments authorised under sub-paragraph (b) of this Standing Order or made without authority of the Council shall be separately included in the next schedule of payments laid before the Council.
- d) The Clerk may supply to each member after the end of the financial year a statement of receipts and payments if required.

## **25. Estimates/Precepts**

Any committee desiring to incur expenditure shall, no later than September give to the Clerk a written estimate of the expenditure recommended for the coming year, and such estimate shall be submitted to the Council at its precept meeting to take place no later than December.

## **26. Code of Conduct**

- a) All Councillors shall observe the code of conduct adopted by the Council.
- b) All Councillors shall be provided with information relating to the Code on the delivery of their declaration of acceptance of office.
- c) Any declarations of interest shall be recorded in a book for the purpose and shall be read out during the meeting.

## **27. Canvassing of and Recommendations by Members**

- a) Canvassing of members or any committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make this rule known to every candidate.
- b) A member of the Council shall not solicit for any person any appointment or for any promotion; but, nevertheless, a member may give a written testimonial of a candidates' ability, experience or character for submission to the Council with an application for an appointment.

## **28. Inspection of Documents**

A member 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.

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

The minutes of the Council shall be open to inspection by any local government elector of the community at a charge determined under the Community Council Publication Scheme, to be reviewed annually.

## **29. Unauthorised Activities**

No member of the Council or any committee, sub-committee or working group shall in the name of or on behalf of the Council

- a) inspect any lands or premises which the Council has a right or duty to inspect; or
- b) issue orders; -

unless authorised to do so by the Council or the relevant committee, sub-committee or working group.

## **30. Admission of the Press and Public to Meetings**

The press and public shall be admitted to all ordinary meetings of the Council which may, however, temporarily exclude the public or the press or both. By means of the following resolution:

“That in the view of the special and/or confidential nature of the business about to be transacted, it is advisable in the public interest that the public and the press be temporarily excluded and they are instructed to withdraw.”

The Clerk shall afford to the press reasonable facilities for taking notes of any proceedings at which they are entitled to be present.

## **31. Public participation**

- a) Ordinary meetings of the Council 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 the invitation of the Chair members of the public are permitted to make representations, answer questions and give evidence in respect of any item.
- c) The period of time which is designated for public participation shall not exceed 15 minutes.
- d) Each member of the public is entitled to speak only once and shall not speak for more than 3 minutes.
- e) A question asked by a member of the public during a public participation session at a meeting shall not require a response or debate.
- f) The Chair may direct that a response to a question posed by a member of the public be referred to a Councillor or to the Proper Officer for a written or oral response.
- g) A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- h) Members of the public are expected to conduct themselves with politeness and decorum. Any person behaving in an inappropriate manner, both in the Public Participation section of the meeting and afterwards, will be asked to leave. If they refuse to leave the Chair may suspend the meeting until order is restored. Any future query from said person should be in writing three clear days before a Council meeting.

**32. Photographing, recording, broadcasting or transmitting proceedings not permitted**

Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's prior (written) consent.

### **33. Confidential Business**

No member of the Council or of any committee, sub-committee or working group shall disclose to any person not a member of the Council any business declared to be confidential by the Council.

### **34. Liaison with County Councillors**

A notice of a meeting shall be sent to the County Councillors for the Community.

### **35. Freedom of Information Act 2000**

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.

Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Chair of the Council. The Council shall have the power to facilitate compliance with the Freedom of Information Act 2000 including exercising the powers of the Proper Officer in respect of Freedom of Information requests.

### **36. Variation Revocation and Suspension of Standing Orders.**

Any part of the Standing Order may be suspended by a resolution in relation to any specific item of business. A resolution to suspend any part of Standing Orders must be carried by 2/3 (two thirds) of those voting on the motion.

A motion permanently to vary or revoke a Standing Order shall when proposed and

seconded stand adjourned without discussion to the next ordinary meeting of the Council.

### **37. Planning Applications**

All planning applications should be determined at ordinary Community Council Meetings, or if this is not possible by three Councillors.

### **38. Standing Orders to be given to Members.**

A copy of these Standing Orders shall be given to every member by the Clerk upon delivery to them of their member's declaration of acceptance of office.

### **39. Review of Standing Orders**

These Standing Orders will be reviewed on an annual basis at the Annual General Meeting.

Reviewed and amended May 2022  
Reviewed and agreed July 2021  
Reviewed and amended March 2020  
Reviewed and amended February 2015