

CHILHAM PARISH COUNCIL

Minutes of the Meeting held at Old Wives Lees Village Hall on 5th June, 2014 at 7.30pm

Present: Cllrs D Kennett, R Lincoln, A Millar, A Ralph (Chairman), A Ranns, G Swan, H Tharp

Apologies: Cllrs A Brown, B Glancy, Community Warden Peter Willows

In Attendance: Mr G Dear (Clerk), Boro Cllr D Marriott, 5 members of the public

6/1 Apologies

Cllr Brown had advised the clerk that she was unable to attend due to family commitments.

Cllr Glancy had advised the clerk that he was unable to attend due to work commitments.

6/2 Minutes of the meeting held on 1st May 2014

The minutes were signed as a true record with one amendment:-

(5/15) Meetings : Cllr Ralph was asked to pass the KALC defibrillator report to CTRG.

6/3 Matters arising from the Minutes

(5/5) Audit Return for 2013/14:

The meeting approved the draft audit return. Cllr Swan abstained and Cllr Millar voted against.

The clerk had submitted the return to the internal auditor.

Cllr Millar advised the meeting that he had not seen a copy of the receipt supporting the Shottenden Fireworks recycling bid despite requesting this on several occasions.

The clerk had provided this together with the receipts in respect of Chairmans expenses for the 2013 and 2014 Annual Parish Meetings.

(5/8) High interest deposit account:

The meeting asked the Resources Committee to consider whether other funds could be placed in this type of account at the time they consider the budget for 2014/15.

The Resources committee had considered this at its April meeting. There is an agenda item to consider this matter.

(5/8) Highways

The clerk had requested a site meeting with Kent Highways regarding the children's crossing and to chase a response regarding the other key issues raised by the parish council but the officer concerned had not yet offered any dates.

(5/8) Sawmills Development:

Cllr Millar proposed that a letter should be sent to residents within 150m of the development asking for their concerns and this was agreed. Cllr Millar agreed to produce a draft letter for consideration at the April meeting but had not yet done so.

Update required from cllr Millar at the July meeting.

(5/8) ABC - BT Openreach - Request to place cabinet on ABC land at the side of the bus shelter on Felborough Close junction with Bagham Road, Chilham

The clerk had advised that parish council preference would be for the cabinet to be sited next to the existing cabinet in Bagham Road but BT (thru ABC) had responded advising that this location was not suitable. The council noted the ABC response. The clerk had forwarded the correspondence to all cllrs so they could respond as individuals if they wished.

(5/10) Application No. 12/00051/CONA/AS - Land east of, Station Approach, Chilham - Condition 14 - car park management - PERMIT

The meeting noted this decision with disappointment that parking charges would be made.

The clerk had asked the ABC Planning Development Officer why ABC had permitted charges for parking and why ABC had allowed these charges to be so high, and had forwarded a copy to all cllrs together with those parishioners who were members of the Sawmills working group.

The clerk had placed an item on the agenda for the June meeting to consider how this decision should be publicised in the parish.

(5/10) Application No. 14/00143/AS - Hazelmere, Canterbury Road, Chilham - Conversion of a house into two flats - REFUSE

Cllr Lincoln was asked to prepare a response contrasting this decision with the ABC position on extra journeys resulting from the Sawmills development and had written a letter.

Update required from cllr Lincoln at the July meeting.

(5/10) Restricted byway AE18 and AE429(Chilham):

A letter from parish council PROW representative Jim Smith, opposing a claim by the Trail Riders Fellowship that the byway should lose its restricted status, had been circulated to cllrs prior to the meeting.

The meeting opposed the claim by the Trail Riders Fellowship and supported the letter from Jim Smith. *The clerk had asked to advise the Planning Inspectorate accordingly.*

(5/10) Amenity Light in the Street:

Cllr Lincoln reported that ABC had replied reiterating its position that the relocation was the responsibility of the parish council.

Cllrs Lincoln and Kennett were asked to send one more letter to ABC rejecting this position stating that this was based upon a majority decision.

There is an agenda item to consider this matter.

(5/10) Sawmills Development:

Cllr Lincoln reported that the developers agent had still not advised possible dates for the meeting.

The clerk had obtained clarification from ABC that an application to discharge the drainage conditions had been approved in April.

(5/11) Finger Post in Chilham Square:

A proposal from Cllr Lincoln had been circulated to cllrs prior to the meeting. The meeting agreed to increase its funding from the recycling fund for this project from £500 to £750. It was agreed that cllr Lincoln, Kennett and the clerk should meet with interested parties to decide the next step for this project. The clerk was asked to confirm the ownership of the verge on which 2 benches are currently situated.

Update required at July meeting.

(5/11) Review of Council Contracts:

The clerk was asked to investigate whether options should be considered for the internal audit contract as, with the transfer of the toilets, council accounts had become more complex so that a decision could be made in October.

Update required from the clerk at October meeting

3 estimates for insurance had been circulated to cllrs prior to the meeting.

The Hiscox estimate with a 3yr undertaking was selected by the meeting.

The clerk had accepted the Hiscox estimate and advised unsuccessful bidders.

(5/12) Janet Henley (CPC Internal Auditor) – Shottenden Fireworks Complaint

The clerk had forwarded to all cllrs

(5/12) ABC – Polling Districts, Polling Places and Polling Stations Review 2014 – Request for observations

The clerk had complained that a polling facility in Shottenden had been removed and cllrs had been asked to advise ABC of potential polling places in the village..

(5/12) Ashford & Tenterden Volunteer Centre – request to publicise in the parish and/or address a meeting

The clerk had forwarded to parish contacts

(5/12) Andrew Wickham – Traffic Survey Results

The clerk had asked Cllr Wickham to arrange for an interpretation of these results to be provided and this was still outstanding.

(5/15) Meetings

Cllr Ralph had passed the KALC defibrillator report to CTRG.

6/4 Minutes of Annual Parish Meeting on 17th April 2014

The draft minutes were accepted by the parish council as a true record of what was said at the meeting in recognition of the fact that they would be considered for approval at the 2015 Annual Parish Meeting. Cllr Millar stated that the 2nd sentence in the CFDB report conflicted with his understanding of KHS requirements.

The clerk was asked to request that CFDB clarify the position. It was agreed that the draft minutes should not be made public until this issue had been resolved.

6/5 Declarations of Interest

None.

6/6 Planning.

Decisions received from Ashford

Application No. 14/00323/AS

Noveis, Canterbury Road, Chilham

Creation of vehicular access and drive to serve Noveis

PERMIT

Application No. 14/00430/AS

Calico Cottage, Lower Lees Road, Old Wives Lees

Proposed single storey rear extension

PERMIT

Planning appeal decisions received

Application No. 13/00662/AS

Land between Mulberry House and Highdown, Mulberry Hill, Chilham

Outline application for the erection of a single dwelling house.

DISMISSED

Cllr Lincoln explained that he had written a letter to the Planning Inspectorate correcting an error in the officers report.

Applications Considered

Application No. 14/00514/AS

Monckton Manor, Mountain Street, Chilham

Removal of recent plaster from drawing room. Internal wall to expose remains of historic inglenook fireplace. Depending upon what is replaced a further listed building consent application will then be made for reconstructive works, the nature of which has yet to be determined.

SUPPORT

Application No. 14/00533/AS

Jullieberrie House, Canterbury Road, Chilham

Erection of a two storey annexe side extension

SUPPORT

Plan for consultation options re ABC site submissions for the parish of Chilham:

A paper from Cllr Ralph had been circulated to cllrs prior to the meeting.

The meeting approved the proposal with one amendment. (Annex A contains the paper with this amendment).

Amenity Light in the Street:

Cllr Lincoln reported that a letter would be sent to our Localism Guide continuing to pursue the parish council case.

Sawmills Development:

Cllr Lincoln reported that there had been no reply from Orbit regarding a meeting and that he had contacted them directly requesting dates.

Proposal from Planning Team following recent Open Forum:

This item was deferred until the July meeting.

Approach to publicising ABC approval of Station car park management plan:

A paper from Cllr Ralph had been circulated to cllrs prior to the meeting.

The meeting approved the proposal with one amendment. (Annex B contains the paper with this amendment).

[Cllr Millar left the meeting at 9:15pm]

6/7 Finance

Accounts for 2014/15:

Payments:

The following payments were approved:

From the General Fund:

1799	G Dear	May salary	513.29
1801	G Dear	May expenses	35.26
1802	K Jeffery	May litter picking / toilet cleaning	480.05
1803	ABC	THT-Business Rates	181.00
1804	Staples	Office Supplies	14.99
1805	Staples	Office Supplies	31.21
1806	Broker Network Ltd	Insurance	800.13
1807	Groombridge	OWL grass cutting	309.60
1808	Janets Book-keeping Services	Internal Audit	80.00
1810	D Kennett	Materials for planters	29.50

From Ringfenced Funds:

1809	1st Chilham Rainbows Unit	Recycling grant	350.00
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Total Payments 2795.53

OWL Play Area Maintenance:

The clerk reported two repairs required and the cost of the spare parts.

The clerk was asked to obtain estimates for carrying out the repairs from Playdale and a local contractor and proceed with the repair on the basis of the cheapest estimate.

Audit Return for 2013/14:

A report had been circulated to cllrs prior to the meeting that the internal audit of the accounts including the Audit Return has been successfully completed with no major issues arising and the Internal Audit section of the Audit Return completed.

The parish council approved the Audit Return following internal audit and instructed the clerk to submit it to the external auditor.

Selection of contractor for war memorial refurbishment funding:

A report had been circulated to cllrs prior to the meeting that funding has been obtained to cover the full cost of the refurbishment and approval has now been received from the diocese to use either of the two contractors submitted in the grant application to the War Memorials Trust but one has now withdrawn.

The parish council decided to instruct the one remaining contractor, Keith Newing, to undertake the work.

[Cllr Millar rejoined the meeting at 9:20pm]

Proposal for distribution of funds:

A proposal from the Resources Committee had been circulated to cllrs prior to the meeting.

The parish council decided:-

- 1) That the clerk works within a current account surplus of £5k and that excess funds are moved to the investment account when appropriate following approval by 2 cllrs from the Resources Committee.
- 2) That in the prevailing circumstances of low interest rates and short term access to funds, further fixed term investment accounts should not be considered at this time.

[Cllr Lincoln left the meeting at 9:23pm]

6/8 Correspondence

(6/1) Charing Local History Society – request to place publicity leaflets on noticeboards

Action taken: posted on noticeboards if space available

(6/2) Open Spaces Society – request for donation re threatened greens

Decided not to donate.

(6/6) Andrew Wickham – Schedule of Planned Maintenance in Chilham

Action taken: forwarded to cllrs

(6/10) National Co-ordinator - Local Works - Please support more funds for parish councils proposal

Decided to support the proposal. Cllrs Millar and Swan voted against.

The clerk was asked to reply advising support.

(6/11) KALC – NALC updates inclu Model Financial Regulations

The Resources Cttee was asked to consider the proposed update to Financial Regulations at its July meeting.

(6/15) ACR Kent – Rural News 137

Action taken: forwarded to cllrs

(6/16) South East Water: Beyond the tap webinar and Q&A

Action taken: forwarded to cllrs

(6/17) Alan Rogers - Alive and Well? Conference: 27th September 2014

The clerk was asked to forward to cllrs and parish contacts to respond as individuals

(6/19) ABC - Consultation on Ashford Borough Council's Policy on the Licensing Act 2003

The clerk was asked to forward to village halls and the sports hall

(6/24) Ringmaster emails:- handbag, vehicle theft, Kent Police website, breakin – request for info

Action taken: forwarded to cllrs

(6/25) Trading Standard alerts:- cheap chargers, rogue traders, scam awareness, telephone scam

Action taken: forwarded to cllrs

(6/26) Elgin Roadworks alerts:- None

(6/27) Road Closures: Temporary Micro-surfacing Road Closures – Ashford Area – 19 May 2014

Action taken: forwarded to parish contacts

(6/28) APEK Emails: East Kent Social Policy Group Meeting, job vacancy, Partner Briefing - National call for evidence: Impact of welfare reforms, Partners' Forum - 13 May 2014 – agenda, Partners Forum meeting 15-4-14 minutes uploaded

Action taken: forwarded to cllrs

(6/29) Cathas Seat Updates:

Action taken: held on file

6/9 Standing Orders update

An updated version of Standing Orders including the amendments requested at the April meeting had been circulated to cllrs prior to the meeting.

The meeting adopted this revised version. (Annex C contains the revised document).

6/10 Community Broadband

The clerk reported that there had been no further news from KCC.

6/10 Highways

Cllr Ralph reported on the Kent Highways response to drainage and road safety issues and it was agreed the situation should continue to be monitored.

6/11 Meetings

Cllr Ralph had circulated draft minutes from the KALC Ashford Area Committee meeting on 21st May to cllrs prior to the meeting highlighting the fact that applications can now be made for grants from the KCC Member Fund (reduced to £25,000) and ABC Ward Members Fund (£3,000 per ward).

The R&T team were asked to prepare a proposal for using these funds for “children playing” road safety signs.

6/12 Village Reports

A monthly incident report from Community Warden Peter Willows had been circulated to cllrs prior to the meeting.

Cllr Ranns had advised the clerk that there was nothing to report from CFDB.

6/13 Relationship with Ward Member

This agenda item was deferred.

6/14 Behaviour of Parish Councillors

This agenda item was deferred.

The meeting closed at 9:35pm.

6/15 Date of next meeting

3rd July 2014 in Chilham Village Hall

715pm for 730pm

PLEASE NOTE: All updates reported under Matters Arising are recorded in *black italics*. All agreed actions are recorded in *red italics*.

REPORT FROM CLLR ALI RALPH

SUBJECT: SITE SUBMISSION CONSULTATION

BACKGROUND:

At the meeting held in St Marys Church on 7th May 2014, there was a view that ABC should provide a series of workshops for parishioners. The clerk forwarded this view to Simon Cole at ABC for his consideration.

The response from ABC indicated that the borough was not in a position to meet this request and suggested that Chilham should move directly to an Open Exhibition. This was the course now followed successfully in many other parishes. The increase in site submissions (many of which may subsequently be filtered out) is also thought to be a factor in ABC's current thinking.

RECOMMENDATION:

- 1) That CPC should arrange for an Open Exhibition to be held in St Marys Church around mid July but certainly prior to the school holiday period.
- 2) That CPC asks ABC to run a workshop for the 45 people who put their names forward at the Open Meeting on 7th May in addition to the Open Exhibition and if the answer is no, ask ABC to provide the full rationale behind this decision.*
- 3) That the provision of workshops should be re-considered when the borough council has narrowed down the list of potential site options for the Local Plan, and holds a further round of local consultation events with parish councils and local residents.
- 4) That CPC should revise its programme of events to reflect the proposed changes in 1) and 2) above.
- 5) That parishioners should be properly informed of the revised consultation programme via a leaflet drop which would also include the previously agreed questionnaire.

REPORT FROM CLLR ALI RALPH

SUBJECT: STATION CAR PARK

BACKGROUND:

At its meeting in August 2012, the ABC planning committee approved the application submitted by Stour Valley Estates (SVE) for a 40 dwelling development on the Old Sawmills site at Chilham. At the same meeting, ABC determined that the application for the development of a car park facility on land owned by SVE should be approved. It further agreed that a management scheme for the car park should be approved and in place prior to the sale of any properties at the Sawmills site.

In March 2014 ABC approved a scheme proposed by SVE which identified an annual charge of £430 p.a. for each of 10 available spaces let to subscribing individuals. A further 5 spaces would be provided free of charge on a daily basis by prior arrangement. A Management Company has been established to manage and oversee the whole operation.

CPC has argued the case that it believed all 15 spaces would be provided free of charge for a period of 99 years subject to ABC not levying Business Rates. Those councillors who attended the ABC planning committee in August 2012 came away from that meeting believing that free parking had been secured. However, this is not reflected in the approved minutes of that meeting and ABC have contested that such an agreement would not be legally enforceable.

A point has now been reached where ABC has approved a scheme which clearly does not have the support of CPC. The parish council must now consider whether it wishes to pursue the matter further and if so, how this can be achieved.

RECOMMENDATION:

- 1) That CPC should submit an article to Parish News based upon the above and including the proposed charges to be levied by SVE.
- 2) There is an item on the agenda for the July meeting to consider any further action to be taken.
- 3) That CPC ask Boro Cllr Marriott to provide a report on his concerns with regard to the financial calculations supporting the car park charges for consideration at the July meeting so that the parish council could work with Cllr Marriott to resolve these concerns.

CHILHAM PARISH COUNCIL

Standing Orders

June 2014

STANDING ORDERS

These Standing Orders were adopted by the Council at its Meeting held on **5th June 2014**.

1. Meetings

Meetings of the Council shall be held at either Chilham Village Hall or Old Wives Lees Village Hall at 7.30pm in the evening unless the Council decides otherwise.

2. The Statutory Annual Meeting

- a) **In an election year the Annual Parish Council Meeting 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 the Annual Parish Council Meeting shall be held on such day in May as the Council may direct.**
3. **(England Only) In addition to the Statutory Annual Parish Council Meeting at least three other statutory meetings shall be held in each year normally on the first Thursday of the month.**

4. Chairman of the Meeting

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

When the chairman opens any Parish Council meeting or Committee meeting, all mobile phones shall be switched to silent mode. In the event that any member is required to take a call, or calls, during the meeting, they shall leave the meeting room and deal with the matter behind closed doors.

5. 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 nominated officer: -

- To receive declarations of acceptance of office.
- To receive and record notices disclosing interests at meetings.
- To receive and retain plans and documents.
- To sign notices or other documents on behalf of the Council.
- To receive copies of bylaws made by another local authority.
- To certify copies of bylaws made by the Council.
- To sign and issue the summons to attend meetings of the Council.
- To keep proper records for all Council meetings.

6. Quorum of the Council

Three members or one-third of the total membership, whichever is the greater, shall constitute a quorum at meetings of the Council.

7. If a quorum is not present or if during a meeting the number of councillors present (not counting those debarred by reason of a declared interest) falls below the required quorum, the meeting shall be adjourned and the particular business not transacted shall be transacted at the next meeting or on such other day as the Chairman may fix.
8. For a quorum relating to a committee or sub-committee, please refer to Standing Order 46.

9. Voting

Members shall vote by show of hands or, if at least two members so request, by signed ballot.

10. **If a member so requires, the Clerk shall record the names of the members who voted on any question so as to show whether they voted for or against it. Such a request must be made before moving on to the next business.**
11. **(1) Subject to (2) and (3) below the Chairman may give an original vote on any matter put to the vote, and in any case of an equality of votes may give a casting vote whether or not he gave an original vote.**

(2) 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.

(3) The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.

12. Order of Business

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.
- f) To appoint representatives to outside bodies.
- g) To appoint committees and sub-committees.
- h) To consider the payment of any subscriptions falling to be paid annually.
- i) To inspect any deeds and trust investments in the custody of the Council as required;

and shall thereafter follow the order set out in the Standing Order 15

13. **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 are required by law to be made or, if not then received, to decide when they shall be received.**
14. 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. Standing Order 37 must be read in conjunction with this requirement.
15. After the first business has been completed, the 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.
 - 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) To authorise the sealing of documents.
 - j) If necessary, to authorise the signing of orders for payment and record the names of the signatories in the minutes.

16. 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.

17. 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 three clear days before the next meeting of the Council.

18. The Clerk shall date every notice of resolution or recommendation when received by him, shall number each notice in the order in which it was received and shall enter it in a book which shall be open to the inspection of every member of the Council.

19. The Clerk shall insert in the summons for every meeting all notices of motion or recommendation properly given in the order in which they have been received unless the member giving a notice of motion has stated in writing that he intends to move at some later meeting or that he withdraws it.
20. 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.
21. 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.
22. Every resolution or recommendation shall be relevant to some subject over which the Council has power or duties, which affects its area.

23. 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 authorise the sealing of documents.
- k) To amend a motion.
- l) To give leave to withdraw a resolution or amendment.
- m) To extend the time limit for speeches.
- n) To exclude the press and public. (see Order 66 below)
- o) To silence or eject from the meeting a member named for misconduct. (see order 32 below)
- p) To give the consent of the Council where such consent is required by these Standing Orders.
- q) To suspend any Standing Order. (see Order 77 below)
- r) To adjourn the meeting.

24. Questions

A member may ask the Chairman of the Council or the Clerk any question concerning the business of the Council, provided three clear days notice of the question has been given to the person to whom it is addressed.

25. A person to whom a question has been put may decline to answer.

26. Rules of Debate

No discussion of the Minutes shall take place except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chairman.

27. A resolution or amendment shall not be discussed unless it has been proposed and seconded.

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.

A further amendment shall not be moved until the Council has disposed of every amendment previously moved.

The mover of a resolution or amendment shall have the right of reply.

A member may make a point of order or personal explanation.

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 permission has been refused.

When a resolution is under debate no other resolution shall be moved except the following:

- 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 leave the meeting.
- vii. That the resolution be referred to a committee.
- viii. To exclude the public and press.
- ix. To adjourn the meeting.

28. A member shall remain seated when speaking unless requested to stand by the Chairman.

29. a) the ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed.
- b) Members shall address the Chairman. If two or more members wish to speak, the Chairman shall decide who to call upon.
- c) Whenever the Chairman speaks during a debate all other members shall be silent.

30. Closure

At the end of any debate 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.

31. Use of Email

Members shall not send email between meetings that prejudice a full and proper debate of an issue at a council meeting.

The procedure adopted to implement this standing order can be found at ANNEX A Policy CPC/COM01.

32. Disorderly Conduct

- a) **All members must observe the Code of Conduct which was adopted by the council on 4th October 2007, a copy of which is annexed to these Standing Orders.**
- 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 (b) of this Order, 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 Standards Board (England).**
- d) If either of the motions mentioned in paragraph c is disobeyed, the Chairman may adjourn the meeting or take such further steps as may reasonably be necessary to enforce them.

The procedure adopted to implement this standing order can be found at ANNEX A Policy CPC/MTG01.

33. 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.

34. Alteration of Resolution

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

35. 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 three 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.

36. 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.

37. Discussions and Resolutions Affecting Employees of the Council

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 press and public shall be excluded. (See Standing Order No. 66.)

38. 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).

39. Expenditure

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

40. Sealing of Documents

- a) A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution.

Any two members of the Council named in a resolution moved under the provisions of paragraph (a) of this Order may seal, on behalf of the Council, any document required by law to be issued under seal.

41. Committees and Sub Committees

The Council may at its Annual Meeting appoint standing committees 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 so as to hold office later than the next Annual Meeting.
- b) May appoint persons other than members of the Council to any Committee; and
- c) may subject to the provisions of Standing Order 35 above at any time dissolve or alter the membership of committee.

42. The Chairman and Vice-Chairman, ex-officio, shall be voting members of every committee.

43. 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.

44. Special Meeting

The Chairman of a committee or the Chairman of the Council may summon an additional meeting of that committee at any time.. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.

45. Sub-Committees

Every committee may appoint sub-committees for purposes to be specified by the committee.

46. 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.

47. Except where ordered by the Council in the case of a committee, or by the Council or by the appropriate committee in the case of a sub-committee, the quorum of a committee or sub-committee shall be three members.

48. 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.

49. Advisory Committees

- 1) The Council may create advisory committees, whose name, and number of members and the bodies to be invited to nominate members shall be specified.
- 2) The Clerk shall inform the members of each advisory committee of the terms of reference of the committee.
- 3) An advisory committee may make recommendations and give notice thereof to the Council
- 4) An advisory committee may consist wholly of persons who are not members of the Council.

50. Voting in Committees

- a) Members of committees and sub-committees entitled to vote, shall vote 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.**

51. 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.

52. Minutes

Minutes of proceedings of a council and its committees must be kept. They are intended to be formal records of official acts and decisions, not reports, still less verbatim reports of the speeches made by councillors. Minutes should, therefore be short as is consistent with clarity and accuracy, and the arguments used in the discussion need be recorded only if the decision cannot be clearly expressed in any other way. Short simple minutes are less likely to be defamatory than long reports.

53. Accounts and Financial Statement

- 1) Except as provided in paragraph (2) of this Standing Order or by statute, all accounts for payment and claims upon the Council shall be laid before the Council.
- 2) 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. Such payment shall be authorised by the committee, if any, having charge of the business to which it relates, or by the proper officer for payment with the approval of the Chairman or Vice-Chairman of the Council.
- 3) All payments ratified under sub-paragraph (2) of this Standing Order shall be separately included in the next schedule of payments before the Council.

54. 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 of the Council for the completed financial year. A Financial Statement prepared on the appropriate accounting basis (receipts and payments, or income and expenditure) for a year to 31 March shall be presented to each member before the end of the following month of May. The Statement of Accounts of the Council (which is subject to external audit) shall be presented to Council for formal approval before the end of the following month of September.

55. Estimates / Precepts

- 1) The council shall approve written estimates for the coming financial year at its meeting before the end of the month of December.
- 2) 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.

56. Interests (ENGLAND)

If a member has a personal interest as defined by the Code of Conduct adopted by the Council on 2nd May 2002 then he shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required.

57. If a member who has declared a personal interest then considers the interest to be prejudicial, he must withdraw from the room or chamber during consideration of the item to which the interest relates.

58. The Clerk may be required to compile and hold a register of member's interests in accordance with agreement reached with the Monitoring Officer of the Responsible Authority and/or as required by statute.

59. 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. Where a relationship to a member is disclosed, Standing Orders 55, 56 and 57 shall apply as appropriate.

60. The Clerk shall make known the purpose of Standing Order 59 to every candidate.

61. Canvassing of and Recommendations By Members

- 1) 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 Clerk shall make known the purport of this sub-paragraph of this Standing Order to every candidate.
- 2) 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.

62. Standing Order Nos. 59 & 61 shall apply to tenders as if the person making the tender were a candidate for an appointment.

63. Inspection of Documents

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.

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

65. 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:-

- a) Inspect any lands or premises which the Council has a right or duty to inspect; or
- b) Issue orders, instructions or directions.
Unless authorised to do so by the Council or the relevant committee or sub-committee.

66. Admission of The Public and Press to Meetings

The public and press shall be admitted to all meetings of the Council and its committees, which may, however, temporarily exclude the public by means of the following resolutions: -

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

67. The Council shall state the special reason for exclusion.

68. At all meetings of the Council the Chairman may at his 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.

69. The Clerk shall afford to the press reasonable facilities for the taking of their report of any proceedings at which they are entitled to be present. There shall be no audio or video recording or photographs of the meeting without the express approval of the Council.

70. If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that he be removed from the meeting and may adjourn the meeting for such period as is necessary to restore order.

71. Confidential Business

- 1) 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.
- 2) Any member in breach of the provisions of paragraph (1) of this Standing Order shall be removed from any committee or sub-committee of the Council by the Council.

72. Liaison with County and District Councillors

A summons and Agenda for each meeting shall be sent, together with an invitation to attend, to Borough, Unitary or District Councillor for the appropriate division or ward and may also be sent to the County Councillor.

73. Unless the Council otherwise orders, a copy of each letter ordered to be sent to the District Council shall be transmitted to the District Councillor for the ward as the case may require.

74. Planning Applications

- 1) The Clerk shall, as soon as it is received, enter in a book kept for the purpose the following particulars of every planning application notified to the Council: -
 - a) the date on which it was received
 - b) the name of the applicant
 - c) the place to which it relates;
- 2) The Clerk shall refer every planning application received to the Chairman / Chairman of the Planning Committee or in the Chairman's absence to the Vice-Chairman within 48 hours of receipt if requested.

75. Financial Matters

The Council shall consider and approve Financial Regulations drawn up by the Responsible Financial Officer.

- 1) Such Regulations shall include detailed arrangements for the following:
 - a) the accounting records and systems of internal control;
 - b) the assessment and management of risks faced by the Council;
 - c) the work of the Internal Auditor and the receipt of regular reports from the Internal Auditor which shall be required at least annually;
 - d) the financial reporting requirements of members and local electors and
 - e) procurement policies (subject to (2) below) including the setting of values for different procedures where the contract has an estimated value less than £50,000.
- 2) Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £2,500 shall be procured on the basis of a formal tender as summarised in (3) below.
- 3) Any formal tender process shall comprise the following steps:
 - a) a public notice of intention to place a contract to be placed in a local newspaper;
 - b) a specification of the goods, materials, services and the execution of works shall be drawn up;
 - c) tenders are to be sent, in a sealed marked envelope, to the Clerk by a stated date and time;
 - d) tenders submitted are to be opened, after the stated closing date and time, by the Clerk and at least one member of Council;
 - e) tenders are then to be assessed and reported to the appropriate meeting of Council or Committee.
- 4) The Council, nor any Committee, is not bound to accept the lowest tender, estimate or quote. Any tender notice shall contain a reference to the Standing Orders 59,61 & 62 regarding improper activity.
- 5) The Financial Regulations of the Council shall be subject to regular review, at least once every four years.

{Council is reminded that the European Union Public Sector Procurement Rules are likely to apply to contracts with a value in excess of £140,000 and advice should be sought at this level}

(Note: Some Standing Order **must** be made for contracts for the supply of goods or the execution of works)

76. Code of Conduct on Complaints

The Council shall deal with complaints of misadministration 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 Standards Board (England).

77. Variation, Revocation and Suspension of Standing Orders

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.

78. 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.

79. 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 observe the Code of Conduct adopted by the Council.

ANNEX A - PARISH COUNCIL POLICIES

Policy Naming Standard

Policy Names are in the format CPC/xxx99 where:

xxx indicates policy type and COM=communication, PLA=planning, MTG=meetings, OTH=other.

99 is a number within each policy type allocated in sequence as policies are adopted by the council.

Policy CPC/COM01 - Suggested approach to e-mail

E-mail communication between meetings should and must be for INFORMATION only.

E-mails between meetings MUST NOT:-

- Be making or suggesting policy.
- Expressing opinions.
- Inviting or promoting e-mail discussion.
- Lobbying for support.

It should be noted that it is not a legal requirement to have access to e-mail while being a Parish Councillor however extensive discussion online discriminates against those who are unable to receive mail in the same manner or time scale as those members who are online.

Members are also reminded of their common law responsibility in the area of decision making. Members should not make up their minds in advance [i.e. predetermine themselves] or fail to remain open to persuasion [fettering their discretion]. In short members must enter meetings well informed and should make up their minds on issues on the strength of the information they have been provided with, acquired or is made available on the day. There is a risk that e-mails can be inflammatory and even defamatory so members are reminded that there is no such thing as “parliamentary privilege” at our level and they should always moderate their approach.

E-mail is a good slave but a bad master and may result in Councillors straying into confrontation with the 1972 LGA [Local Government Act].

Policy CPC/MTG01 – Disorderly Conduct

A councillor who considers there has been disorderly conduct by another councillor requests the chairman to stop the meeting, explains the reasons for doing so and asks for a second councillor to second a motion to censure the offending councillor.

If the motion is seconded and then passed, the councillor concerned is excluded from further debate on the current agenda item.

If the same councillor is censured twice in a meeting, the councillor is asked to leave the meeting.

Policy CPC/MTG02 - Apologies for Absence

In the event that a parish councillor is unable to comply with a summons to attend a meeting, they should inform the clerk as soon as possible, offering apologies for non-attendance together with an explanation. Apologies shall not be presented through fellow councillors.

Policy CPC/MTG03 - Agenda Items

Agenda item requests must be accompanied by:

- 1) Brief description of the matter to be considered
- 2) Outline proposal for resolving the matter (where appropriate)

This supporting information must be sent to the clerk in writing or by email to arrive at least one week prior to the meeting in question. This information will then be sent to cllrs with the agenda so that they come to the meeting suitably prepared to consider the matter.

Policy CPC/OTH01 - Volunteers

Volunteers should be welcomed provided all persons are competent and have the required knowledge of the task they are performing on behalf of the Parish Council. A risk assessment must be carried out beforehand.

Volunteers should be covered by public liability insurance provided by themselves or the Parish Council.

Policy CPC/OTH02 – Parish Councillor Responsibilities

Main Purpose:

Representing the views of all residents within your parish

Secondary Purpose:

As part of a local council, responsibility for running local services which may include: open spaces, play areas, village halls, community car schemes, etc.

Deciding on how much to raise through the council tax in order to deliver the council's services.

Influencing and shaping the long term development policy for the parish, and as part of the planning process, comment on planning applications in the parish.

Improve the quality of life and the environment of the local area.

Working to identify issues which are important to the lives of the residents represented.

Working to bring about improvements through local projects, lobbying other service providers and working in partnership with other parishes and agencies.