



MOUNTNESSING VILLAGE COUNCIL – STANDING ORDERS

**Agreed at the Annual and Ordinary Meetings of the Village Council held on the 12th May
2025**

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Clauses in **BOLD** are mandatory.

1. Meetings generally

- a. Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol unless no other premises are available free of charge or at a reasonable cost.
- b. 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.
- c. The minimum three clear days' public notice of a meeting does not include the day on which the notice was issued or the day of the meeting-
- d. 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 a meeting shall be by a resolution which shall give reasons for the public's exclusion.
- e. Members of the public may make representations, answer questions, and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- f. The period designated for public participation at a meeting in accordance with standing order 1(e) above shall not exceed 15 minutes unless directed by the chairman of the meeting.
- g. Subject to standing order 1(f) above, a member of the public shall not speak for more than 3 minutes.
- h. In accordance with standing order 1(e) above, a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.
- i. A person shall raise their hand when requesting to speak.
- j. A person who speaks at a meeting shall direct their 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. Following the enactment of the Openness of local government Regulations 2014, photographing, recording, broadcasting, or transmitting the proceedings of a meeting by any means is now encouraged. Council members and officers are deemed to have given their consent to being recorded, but whoever is recording the meeting is responsible for obtaining consent from any members of the public present and will be responsible for any subsequent use or misuse of their material. The written minutes of the meeting will remain the definitive record of any decisions or discussions.
- m. **The press 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.**
- n. **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/her absence be done by, to or before the Vice-Chairman of the Council.**
- o. **The Chairman of the meeting, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if one is in position and 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.**
- p. **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors or councillors with voting rights present and voting.**
- q. **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 their casting vote whether they gave an original vote. *See standing orders 2 (i) and (j) below for the different rules that apply in the election of the Chairman of the Council at the annual meeting of the council.***
- r. **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 to show whether each councillor present and voting gave their vote for or against that question.** Such a request shall be made before moving on to the next item of business on the agenda.
- s. The minutes of a meeting shall include an accurate record of the following:
 - i. the time and place of the meeting.
 - ii. the names of councillors present and absent.
 - iii. apologies received and accepted by resolution.
 - iv. interests that have been declared by councillors and non-councillors with voting rights.
 - v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered.
 - vi. if there was a public participation session; and
 - vii. the resolutions made.
- t. **A councillor or a non-councillor with voting rights 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 their right to participate and vote on that matter.**

- u. **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.**
- v. **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.
- w. A meeting shall not exceed a period of 2 hours.

2. Ordinary council meetings

- a. **In an election year, the annual meeting of the council shall be held on or within 14 days following the day on which the new councillors elected take office.**
- b. **In a year which is not an election year, the annual meeting of a council shall be held on such day in May as the council may direct.**
- c. **If no other time is fixed, the annual meeting of the council shall take place at 7pm.**
- d. **In addition to the annual meeting of the council, at least three other ordinary meetings shall be held in each year on such dates and times as the council directs.**
- e. **The first business conducted at the annual meeting of the council shall be the election of the Chairman and Vice-Chairman of the Council.**
- f. **The Chairman of the Council, unless they have resigned or becomes disqualified, shall continue in office, and preside at the annual meeting until their successor is elected at the next annual meeting of the council.**
- g. **The Vice-Chairman of the Council, if any, unless they resign or become disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the council.**
- h. **In an election year, if the current Chairman of the Council has not been re-elected as a member of the council, they shall preside at the meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but must give a casting vote in the case of an equality of votes.**
- i. **In an election year, if the current Chairman of the Council has been re-elected as a member of the council, they shall preside at the meeting until a new Chairman of the Council has been elected. They may exercise an original vote in respect of the election of the new Chairman of the Council and must give a casting vote in the case of an equality of votes.**
- j. **Following the election of the Chairman of the Council and Vice-Chairman of the Council at the annual meeting of the council, the business of the annual meeting shall include:**
 - i. **In an election year, delivery by the Chairman of the Council and councillors of their acceptance of office forms unless the council resolves for this to be done later. In a year which is not an election year, delivery by the Chairman of the Council of their acceptance of office form unless the council resolves for this to be done at a later date.**
 - ii. Confirmation of the accuracy of the minutes of the last meeting of the council.
 - iii. Review and adoption of appropriate standing orders and financial regulations.
 - iv. Review of arrangements, including any charters and agency agreements, with other local authorities and review of contributions made to expenditure incurred by other local authorities.

- v. Review of representation on or work with external bodies and arrangements for reporting back.
- vi. Review of inventory of land and assets including buildings and office equipment.
- vii. Confirmation of arrangements for insurance cover in respect of all insured risks.
- viii. Review of the council's and/or staff subscriptions to other bodies.
- ix. Review of the council's code of conduct - **every 2 years** and complaints procedure – **every 4 years**
- x. Review of the council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 2018 – **every 4 years.**
- xi. Review of the council's Privacy notice and retention of Documents and Records procedure – **every 4 years**
- xii. Review of the council's Health and Safety Policy, Equal Opportunities Policy and Lone Working Policy (if applicable) – **every 4 years**
- xiii. Review of the council's Risk Management Scheme
- xiv. Review of the council's policy for dealing with the press/media – **every 4 years**; and
- xv. Determining the time and place of ordinary meetings of the full council up to and including the next annual meeting of full council.

3. Rules of debate at meetings

- a. Motions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Chairman's direction for reasons of expedience.
- b. A motion to substantively amend an original motion shall not be considered unless proper notice has been given.
- c. If an amendment is carried, the original motion, as amended, shall take the place of the original motion.
- d. In respect of standing order 3c above, the Chairman shall first be satisfied that the motion has been sufficiently debated before it is put to the vote.

4. Motions for a meeting that require written notice to be given to the Proper Officer

- a. A motion shall relate to the council's statutory functions, powers and obligations or an issue which specifically affects the council's area or its residents.
- b. Other than Motions listed in Section 5, no motion, written or otherwise, may be moved at a meeting unless included in the agenda.
- c. The Proper Officer may, before including a motion on the agenda correct obvious grammatical or typographical errors in the wording of the motion.
- d. If the Proper Officer considers the wording of a motion is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer so that it can be understood at least 5 clear days before the meeting.
- e. Having consulted the Chairman or councillors pursuant to standing order 4(d) above, the decision of the Proper Officer as to whether to include the motion on the agenda shall be final.

5. Motions at a meeting that do not require written notice.

- a. The following motions may be moved at a meeting without written notice to the Proper Officer.

- i. To appoint a person to preside at a meeting.
- ii. To approve the absences of councillors
- iii. To approve the accuracy of the minutes of the previous meeting
- iv. To correct an inaccuracy in the minutes of the previous meeting
- v. To dispose of business, if any, remaining from the last meeting
- vi. To alter the order of business on an agenda for reasons of urgency or expediency
- vii. To proceed to the next business on the agenda
- viii. To close or adjourn debate
- ix. To consider a report and/or recommendations made by an employee, professional advisor, expert, or consultant.
- x. To authorise the payment of monies by the Clerk up to £500

6. Extraordinary meetings of the council and committees and sub-committees

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

7. Previous resolutions

- a. A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least 5 councillors to be given to the Proper Officer in accordance with standing order 4.
- b. When a motion moved pursuant to standing order 7(a) above has been disposed of, no similar motion may be moved within a further six months.

8. Voting on appointments

- a. Where more than two persons have been nominated for a position to be filled by the council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exerciseable by the chairman of the meeting.

9. Disorderly conduct at meetings

- a. No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- b. If person(s) disregards the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- c. If a resolution made under standing order 9(b) above is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include suspending or closing the meeting.

10. Handling confidential or sensitive information

- a. The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential or sensitive information which for special reasons would not be in the public interest.
- b. Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.

11. Draft minutes

- a. If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b. There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 5 (a) (iv) above.
- c. The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d. Upon a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

12. Code of conduct and dispensations.

See also standing order 1(t) above.

- a. All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the council.
- b. Unless they have been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which they have a disclosable pecuniary interest. They may return to the meeting after it has considered the matter in which they had the interest.
- c. Unless he/she has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which they have another interest if so, required by the council's code of conduct. They may return to the meeting after it has considered the matter in which they had the interest.
- d. **Dispensation requests shall be in writing and submitted to the Proper Officer as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.**
- e. A decision as to whether to grant a dispensation shall be made by the Proper Officer.
- f. A dispensation request shall confirm:
 - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates.
 - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote.

- iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - iv. an explanation as to why the dispensation is sought.
- g. Subject to standing orders 12(d) and (f) above, dispensations requests shall be considered by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required.
- h. **A dispensation may be granted in accordance with standing order 12(e) above if having regard to all relevant circumstances the following applies:**
 - i. **without the dispensation the number of persons prohibited from participating in the business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business or**
 - ii. **granting the dispensation is in the interests of persons living in the council's area or**
 - iii. **it is otherwise appropriate to grant a dispensation.**

13. Code of conduct complaints

- a. Upon notification by the Borough Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the council's code of conduct, the Proper Officer shall, subject to standing order 10 above, report this to the council.
- b. Where the notification in standing order 13(a) above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of Council of this fact, and the Chairman shall nominate a councillor to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the council has agreed what action, if any, to take in accordance with standing order 13(d) below.
- c. The council may:
 - i. provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law.
 - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter.
- d. **Upon notification by the District Council that a councillor or non-councillor with voting rights has breached the council's code of conduct, the council shall consider what, if any, action to take against them. Such action excludes disqualification or suspension from office.**

14. Proper Officer

- a. The Proper Officer shall be the clerk. The Proper Officer shall:
 - i. **at least three clear days before a meeting of the council serve on councillors, a summons, by email confirming the time, place and the agenda provided any such email contains the electronic signature and title of the Proper Officer.** See standing order 1(b) above for the meaning of clear days for a meeting of a council.
 - ii. **give public notice of the time, place, and agenda at least three clear days before a meeting of the council (provided that the public notice with agenda of an extraordinary meeting of the council convened by councillors is signed by them);** *See standing order 1(b) above for the meaning of clear days for a meeting of a full council.*

- iii. subject to standing order 4 above, include on the agenda all motions in the order received unless a councillor has given written notice at least 5 days before the meeting confirming their withdrawal of it;
- iv. convene a meeting of the council for the election of a new Chairman of the Council, occasioned by a casual vacancy in their office.**
- v. facilitate inspection of the minute book by local government electors.
- vi.** receive and retain copies of bye-laws made by other local authorities;
- vii. retain acceptance of office forms from councillors;
- viii. retain a copy of every councillor's register of interests.
- ix. assist with responding to requests made under the Freedom of Information Act 2000 and Data Protection Act 2018, in accordance with and subject to the council's policies and procedures relating to the same.
- x. receive and send general correspondence and notices on behalf of the council except where there is a resolution to the contrary.
- xi. manage the organisation, storage of, access to and destruction of information held by the council in paper and electronic form.
- xii. arrange for legal deeds to be executed; See also standing order 21 below.
- xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the council in accordance with the council's financial regulations; and
- xiv. record every planning application notified to the council and the council's response to the local planning authority in the minutes of the next council meeting.

15. Responsible Financial Officer

- a. The Responsible Financial Officer shall be the Clerk.

16. Accounts and accounting statements.

- a. "Proper practices" in standing orders refer to the most recent version of Governance and Accountability for Local Councils – a Practitioners' Guide (England)
- b. All payments by the council shall be authorised, approved, and paid in accordance with the law, proper practices and the council's financial regulations.
- c. The Responsible Financial Officer shall supply to each a statement to summarise :
 - i. for each monthly meeting the detailed receipts and payments for the previous month, aggregate receipts and payments for the year to date and balances held at the end of the previous month.
 - ii. a quarterly report showing detailed receipts and payments including a comparison against budget and a forecast of detailed receipts and payments, for the financial year, showing a comparison with budget. This will be accompanied with a statement explaining major variances against budget for the six months and the financial year.
- d. As soon as possible after the financial year end on 31 March, the Responsible Financial Officer shall provide:
 - i. each councillor with a statement of the council's detailed receipts and payments for the financial year showing a comparison against budget with an explanation of major variances against budget; and

- ii. to the full council the accounting statements for the year in the form of Section 1 of the annual return, as required by proper practices, for consideration and approval.
- e. The year-end accounting statements shall be prepared in accordance with proper practices and applying the form of accounts determined by the council (receipts and payments) for a year to 31 March. A completed draft annual return shall be presented to each councillor before the end of the following month of May. The annual return of the council, which is subject to external audit, including the annual governance statement, shall be presented to council for consideration and formal approval before 30 June.

17. Financial controls and procurement

- a. The council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - i. the keeping of accounting records and systems of internal controls.
 - ii. the assessment and management of financial risks faced by the council.
 - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually.
 - iv. the inspection and copying by councillors and local electors of the council's accounts; and
 - v. procurement policies (subject to standing order 17(c) below) including the setting of values for different procedures where a contract has an estimated value of less than £25,000.
- b. Financial regulations shall be reviewed regularly.
- c. **Any proposed contract for the supply of goods, materials, services, and the execution of works with an estimated value in excess of £25,000 shall be procured on the basis of a formal tender as summarised in standing order 17(d) below.**
- d. Any formal tender process shall comprise the following steps:
 - i. a public notice of intention to place a contract to be placed on council website.
 - ii. a specification of the goods, materials, services, and the execution of works shall be drawn up;
 - iii. tenders are to be sent, in a sealed marked envelope, to the Proper Officer by the stated date and time;
 - iv. tenders submitted are to be opened, after the closing date and time, by the Proper Officer and at least one member of the Council;
 - v. tenders are to be assessed at an appropriate meeting of the Council.

The requirements of the Public Contracts Regulations 2015 must also be complied with for contracts with an estimated value more than £25,000.

- e. The council is not bound to accept the lowest value tender.
- f. **Where the value of a contract is likely to exceed the threshold specified by the Office of Government Commerce from time to time, the Council must consider whether the Public Contracts Regulations 2015 or the Utilities Contracts Regulations 2016 apply to the contract and, if either of those Regulations apply, the Council must comply with procurement rules. NALC's procurement guidance contains further details.**

18. Handling staff matters

- a. A matter personal to a member of staff is subject to standing order 10 above.
- b. Any employee shall notify the Chairman of any absence from work.
- c. The Chairman shall conduct a review of the performance and annual appraisal of the work of all employees. The Chairman will deal with any informal or formal grievance matter and, if appropriate report back to the Council.
- d. Any persons responsible for all or part of the management of staff shall treat the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters as confidential and secure.
- e. The council shall keep all written records relating to employees secure. All paper records shall be secured and locked and electronic records shall be password protected.
- f. Only persons with line management responsibilities shall have access to staff records referred to in standing orders 18(d) and (e) above if so justified.
- g. Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 18 (e) and (f) above shall be provided only to the clerk and the Chairman of the Council.

19. Requests for information.

- a. Requests for information held by the council shall be handled in accordance with the council's policy in respect of handling requests under the Freedom of Information Act 2000 and the Data Protection Act 2018.
- b. Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Chairman of the council who will have the power to do anything to facilitate compliance with the Freedom of Information Act 2000.

20. Relations with the press/media

- a. Requests from the press or other media for an oral or written comment or statement from the Council, its councillors or staff shall be handled in accordance with the Council's policy in respect of dealing with the press and/or other media.

21. Execution of legal deeds.

See also standing orders 14 (a) (xii) above.

- a. A legal deed shall not be executed on behalf of the council unless authorised by a resolution.
- b. **Subject to standing order 21(a) above, any two councillors may sign on behalf of the council, any deed required by law and the Proper Officer shall witness their signatures.**

22. Communicating with Borough and County Councillors.

- a. An invitation to attend a meeting of the council shall be sent, together with the agenda, to the ward councillor(s) of the Borough and County Council representing the area of the council.
- b. Unless the council determines otherwise, a copy of each letter sent to the Borough and County Council shall be sent to the ward councillor(s) representing the area of the council.

23. Restrictions on councillor activities

- a. Unless authorised by a resolution, no councillor shall:
 - i. inspect any land and/or premises which the council has a right or duty to inspect; or
 - ii. issue orders, instructions or directions.

24. Standing orders generally

- a. All or part of a standing order, except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b. A motion to add to or vary or revoke one or more of the council's standing orders, except one that incorporates mandatory statutory requirements, shall be proposed by a special motion, the written notice by at least 4 councillors to be given to the Proper Officer in accordance with standing order 4 above.
- c. The Proper Officer shall provide a copy of the council's standing orders to a councillor as soon as possible after they have delivered their acceptance of office form.
- d. The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.