



PULHAM MARKET PARISH COUNCIL

Pulham Market Parish Council Standing Orders.

These Standing orders are based on Model Orders issued in 2018 (amended in 2022) Legal and statutory requirements have been maintained and are in bold type. Other standing orders have been selected to suit Pulham Market Parish Council.

1. Meetings

- a. Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**
- b. The meeting shall not normally exceed a period of 2 ½ hours.**
- c. 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.**
- d. The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice**
- e. Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- f. 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. The period of time designated for public participation at a meeting shall not exceed 10 minutes unless directed by the Chair of the meeting.**
- g. In accordance with standing order 1(f), a question shall not require a response at the meeting nor start a debate on the question. The Chair of the meeting may direct**



PULHAM MARKET PARISH COUNCIL

that a written or oral response be given.

- h.** The local Member of Parliament, County Councillors, District Councillors, police representatives and incumbent vicar and invited representatives are permitted to speak during Council meetings at the permission of the Parish Council.
- i.** Subject to standing order 1(j), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.
- j.** A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.
- k.** 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.
- l.** Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair of the Council may in his/her absence be done by, to or before the Vice-Chair of the Council (if any).

2. Meeting Protocol

- a.** The Chair, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair, if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.
- b.** 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.
- c.** The Chair of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his/her casting vote



PULHAM MARKET PARISH COUNCIL

whether or not he/she gave an original vote.

See standing orders 4(h) and (i) for the different rules that apply in the election of the Chair of the Council at the annual meeting of the Council.

- d. Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a Councillor, the voting on any question shall be recorded so as to show whether each Councillor present and voting gave his/her vote for or against that question.**
- e. The minutes of a meeting shall include an accurate record of the following:**
 - the time and place of the meeting;
 - the names of Councillors present and absent;
 - interests that have been declared by Councillors and non-Councillors with voting rights;
 - whether a Councillor or non-Councillor with voting rights left the meeting when matters that they held interests in were being considered;
 - if there was a public participation session; and
 - the resolutions made.
- f. 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 his/her right to participate and vote on that matter.**
- g. 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.**
- h. If a meeting is or becomes inquorate no business shall be transacted.**

3. Committees and Sub Committees

- a. The Council may appoint standing committees or other committees as maybe required.**



PULHAM MARKET PARISH COUNCIL

- b.** Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.
- c.** The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.
- d.** Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.

4. 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 6pm.
- 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 Parish Council directs.
- e.** The first business conducted at the annual meeting of the Council shall be the election of the Chair and Vice-Chair (if any) of the Council.
- f.** The Chair of the Council, unless he/she has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his/her successor is elected at the next annual meeting of the Council.
- g.** The Vice-Chair of the Council, if any, unless he/she resigns or becomes disqualified, shall hold office until immediately after the election of the Chair



PULHAM MARKET PARISH COUNCIL

of the Council at the next annual meeting of the Council.

- h.** In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, he/she shall preside at the meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair 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 Chair of the Council has been re-elected as a member of the Council, he/she shall preside at the meeting until a new Chair of the Council has been elected. He/she may exercise an original vote in respect of the election of the new Chair 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 (if there is one) of the Council at the annual meeting, the business shall include:
 - In an election year, delivery by the Chair of the Council and Councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chair of the Council of his/her acceptance of office form unless the Council resolves for this to be done at a later date.
 - Confirmation of accuracy of the minutes of the last meeting of the Council.
 - In an ordinary election year, to decide with view to the Council becoming eligible to exercise the general power of competence in the future.

5. Extraordinary Meetings of the Council, Committees and Sub Committees.

- a.** The Chair of the Council may convene an extraordinary meeting of the Council at any time.
- b.** If the Chair 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



PULHAM MARKET PARISH COUNCIL

for such a meeting must be signed by the two Councillors.

6. **Previous Resolutions**

A resolution shall not be reversed within six months except either by a special motion which requires written notice by at least 3 Councillors to be given to the Proper Officer

7. **Voting on appointments – Co-option**

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 exercisable by the chair of the meeting.

8. **Disorderly Conduct at Meetings**

No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the Chair of the meeting shall request such person(s) to moderate or improve their conduct and failing this be excluded from the meeting.

9. **Motions for a Meeting that requires written notice to be given to the Proper Officer**

- a.** A motion shall relate to the responsibilities of the meeting for which it is tabled and, in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.



PULHAM MARKET PARISH COUNCIL

- b.** No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least 10 clear days before the meeting.
- c.** The Proper Officer and the Chairman will decide on whether to include any motion on the agenda. An explanation on its exclusion will be given on by the Proper Officer

10. Motions for a Meeting that does not require written notice

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

- to correct an inaccuracy in the draft minutes of a meeting;
- to move to a vote;
- to defer consideration of a motion;
- to refer a motion to a particular committee or sub-committee;
- to appoint a person to preside at a meeting;
- to change the order of business on the agenda;
- to proceed to the next business on the agenda;
- to require a written report;
- to appoint a committee or sub-committee and their members;
- to extend the time limits for speaking;
- to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest;
- to not hear further from a councillor or a member of the public;
- to exclude a councillor or member of the public for disorderly conduct;
- to temporarily suspend the meeting;



PULHAM MARKET PARISH COUNCIL

- to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);
- to adjourn the meeting; or
- to close the meeting.

11. Management of Information

- The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.**
- The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period.(eg the Limitation Act 1980).**
- The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.**
- Councillors, staff, the Council's contractors, and agents shall not disclose confidential information or personal data without legal Justification.**

12. Draft Minutes

- 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.**
- There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy.**



PULHAM MARKET PARISH COUNCIL

- c.** The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution, and shall be signed by the chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d.** If the chair of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph to this effect.
- e.** If the Council's gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.
- f.** Any notes or recordings taken at a meeting shall be destroyed once the minutes have been confirmed.

13. Code of Conduct and Dispensations

- a.** All Councillors and non-Councillors with voting rights shall observe 'The Code of Conduct' adopted by the Council.
- b.** Unless a member of the Council 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 he/she has a disclosable pecuniary interest. He/she may return to the meeting after it has considered the matter in which he/she had the interest.
- c.** **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.
- d.** A decision as to whether to grant a dispensation shall be made by Council.
- e.** **A dispensation may be granted in accordance with standing order 13(c) if having regard to all relevant circumstances the following applies:**



PULHAM MARKET PARISH COUNCIL

- i. without the dispensation the number of persons prohibited from participating in the particular 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.

14. Code of Conduct Complaints

Upon notification by the Principal 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.

15. Proper Officer

- a. The Council's Proper Officer shall be the Clerk or another member of staff nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.
- b. The Council's Proper Officer shall do the following:
 - i. At least three clear days before a meeting of the Council, serve on Councillors, by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email).
 - ii. Provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).
 - iii. Convene a meeting of full Council for the election of a new Chair of the



PULHAM MARKET PARISH COUNCIL

Council, occasioned by a casual vacancy in his/her office;

IV. Facilitate inspection of the minute book by local government electors.

V. Receive and retain copies of byelaws made by other local authorities;

16. Responsible Financial Officer

The Council must appoint a Responsible Financial Officer. The RFO will conduct all financial matters in accordance 'Proper practices' the detail of which is contained in the job description and the most recent version of 'Governance and Accountability for Local Councils – a Practitioners' Guide'

17. 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".
- 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 councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
 - i. the Council's receipts and payments (or income and expenditure) for each quarter;
 - ii. the Council's aggregate receipts and payments (or income and expenditure) for the year to date;
 - iii. the balances held at the end of the quarter being reported andwhich includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
 - i. each councillor with a statement summarising the Council's receipts and payments (or income and expenditure) for the last quarter and the year to date for information; and



PULHAM MARKET PARISH COUNCIL

- ii. to the Council the accounting statements for the year in the form of Section 2 of the annual governance and accountability 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 apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all councillors at least 14 days prior to anticipated approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

18. 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/or orders of payments; and
 - v. whether contracts with an estimated value below [60,000] due to special circumstances are exempt from a tendering process or procurement exercise.
- b. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c. Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
 - i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's



PULHAM MARKET PARISH COUNCIL

written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;

- iii. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
 - iv. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
 - v. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
- d. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- e. **Where the value of a contract is likely to exceed the threshold specified by the Government from time to time, the Council must consider whether the contract is subject to the requirements of the current procurement legislation and, if so, the Council must comply with procurement rules. NALC's procurement guidance contains further details.**

19. Handling Staff Matters

A matter personal to a member of staff that is being considered by a meeting of the Council shall be considered in private.

20. Freedom of Information

- a. In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**
- b. Requests for information held by the Council shall be handled in accordance with the Council's policy in respect of handling requests under Data Protection Act 2018 (GDPR).**
- c. Correspondence from, and notices served by, the Information Commissioner shall**



PULHAM MARKET PARISH COUNCIL

be referred by the Proper Officer to the Chair, Vice Chair or nominated Parish Councillor of the Parish Council. The said Chair, Vice Chair or nominated Parish Councillor shall have the power to do anything to facilitate compliance.

21. **Data protection**

- a** The Council shall appoint a Data Protection Officer.
- b** The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his/her personal data.
- c** The Council shall have a written policy in place for responding to and managing a personal data breach.
- d** The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.
- e** The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.
- f** The Council shall maintain a written record of its processing activities.

22. **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.



PULHAM MARKET PARISH COUNCIL

23. Execution and Sealing of Legal Deeds

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

24. Communicating with District and County Councillors

An invite to attend a meeting of the Council shall be sent, together with a copy of the agenda.

25. Standing Orders Generally

- a.** Any or every part of the standing orders, except those which are mandatory by law (and are printed in bold type) may be suspended by resolution in relation to any specific item of business.
- b.** The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible.
- c.** The decision of the chair of a meeting as to the application of standing orders at the meeting shall be final.