

# **Bampton Parish Council**

## **Standing Orders of the Council**

### **MEETINGS**

1. MEETINGS of the Council - PARISH COUNCIL MEETINGS, also known as Council Meetings or ordinary meetings of the Council - shall be held in the Old School Community Centre or the Council Chamber of Bampton Town Hall on the second Wednesday of each month, starting at 7.00pm, unless the Council decides otherwise. Note, PARISH COUNCIL MEETINGS may commence at any time, but shall not continue after 10pm, except by resolution at the Council Meeting.
2. Should either venue not be available or suitable for a Council Meeting, and an alternative venue needs to be found, such 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.
3. The Chairman of the Council may convene an extraordinary meeting of the Council at any time.
4. If the Chairman of the Council does not or refuses to call an extraordinary meeting of the Council within 7 days of having been requested to do so by two councillors, those two councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two councillors.
5. In addition to the STATUTORY ANNUAL MEETING of the Council, at least three other ordinary meetings of the Council shall be held each year on such dates and times as the Council directs.
6. In an election year, the STATUTORY ANNUAL MEETING of the Council shall be held on or within 14 days following the day on which the new councillors elected take office.
7. In a year which is not an election year, the STATUTORY ANNUAL MEETING of the council shall be held on such day in May as the council may direct.
8. No business at a PARISH COUNCIL MEETING including the STATUTORY ANNUAL MEETING may be transacted unless at least one third of the full number of members is present" meaning that the quorum is four.
9. The ANNUAL PARISH MEETING - i.e. the meeting organised to report to Parishioners and the general public on the business conducted in the Parish throughout the past year - shall be held annually between 1<sup>st</sup> March and 1<sup>st</sup> June inclusive.
10. Meetings shall be open to the public and press 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 exclusion of the public and/or press from part or all of a meeting shall be by a resolution which shall give reasons for the exclusion.
11. The press shall be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are permitted to be present.

12. The amended 1960 Act provided that a person may not orally report or comment about a meeting as it takes place if he is present at the meeting of a parish council or its committees but otherwise may:
  - (a) Film, photograph or make an audio recording of a meeting;
  - (b) Use any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later;
  - (c) Report or comment on the proceedings in writing during or after a meeting or orally report or comment after the meeting.
13. Three clear days before a Council or committee meeting, notice of its time and place shall be posted on the Parish Council Notice Board at Bampton Town Hall and on the website. When calculating the three clear days of notice of a meeting to councillors and the public, 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 a bank holiday or a day appointed for public thanksgiving or mourning shall not count.
14. Where there is urgent significant additional business to be considered at a Council meeting, which has not been included on the original agenda, a revised agenda shall be prepared for the meeting, and members shall vote either to accept the revised agenda or not as first item business.
15. Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman may in his/her absence be done by, to or before the Vice Chairman.
16. The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.
17. Subject to standing order 18, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.
18. If a meeting becomes inquorate no business shall be transacted and the meeting shall be adjourned.
19. The Chairman 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 whether or not he/she gave an original vote.
20. Unless standing orders provide otherwise, voting on any question or issue in the Council or in any committees shall be by 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. Such a request shall be made before moving on to the next item of business on the agenda.
21. The minutes of a meeting shall record the names of councillors present and absent.
22. The Code of Conduct adopted by the Council shall apply to councillors in respect of the entire meeting.

23. An interest arising from the Code of Conduct adopted by the Council, the existence and nature of which is required to be disclosed by a Councillor at a meeting shall be recorded in the minutes.
24. Where a member moves to suspend a standing order he/she should do so in writing to the Clerk 10 clear days prior to the next Council Meeting. Standing orders which are mandatory in law cannot be suspended.

#### **ELECTION OF CHAIRMAN AND VICE-CHAIRMAN**

25. The first item of business at the STATUTORY ANNUAL MEETING shall be to elect a CHAIRMAN and VICE-CHAIRMAN at which time the revised agenda may be voted on.
26. The Chairman of the Council, unless he/she has resigned or becomes disqualified, shall continue in office and preside at the STATUTORY ANNUAL MEETING until his/her successor is elected at the next STATUTORY ANNUAL MEETING of the Council.
27. The Vice-Chairman of the Council, if any, unless he/she resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next STATUTORY ANNUAL MEETING of the Council.
28. In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he/she shall preside at the STATUTORY ANNUAL 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.
29. In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he shall preside at the STATUTORY ANNUAL MEETING until a new Chairman of the Council has been elected. He/she may exercise an original vote in respect of the election of the new Chairman and must give a casting vote in the case of an equality of votes.
30. The newly elected CHAIRMAN and VICE-CHAIRMAN shall, at the start of the first year of their terms of office, inspect the leases and deeds and other relevant documents of the Council, prior to the next Council Meeting following the STATUTORY ANNUAL MEETING.

#### **DECLARATIONS**

31. In an election year, councillors must sign their Declarations of Acceptance of Office at or prior to the STATUTORY ANNUAL MEETING of the Council. In the case of the Chairman of the Council, he/she must deliver his/her declaration of acceptance of office at the STATUTORY ANNUAL MEETING of the Council.
32. In an election year, councillors must sign their Registration of Interests at or prior to the STATUTORY ANNUAL MEETING.
33. If for any reason a councillor, including the Chairman of the Council, is unable to make and deliver his/her Declaration of Acceptance and/or Registration of Interests, the Council has the power to resolve that this can be done before or at another meeting of the Council.

#### **CODE OF CONDUCT**

34. All councillors shall observe the Code of Conduct adopted by the Council.
35. If paragraph 12(2) of the Code of Conduct contained in the Local Authorities (Model Code of Conduct) The Localism Act 2011 has been adopted by the Council or pursuant to relevant provisions in a statutory code of conduct in force at the time, councillors may exercise the right contained in standing order 36 below only if members of the public are permitted to ( 1) make representations, (2) answer questions and (3) give evidence relating to the business being transacted.
36. Councillors with a prejudicial interest in relation to any item of business being transacted at a meeting may ( 1) make representations, (2) answer questions, and (3) give evidence relating to the business being transacted but must, thereafter, leave the room or chamber.

#### **COMMITTEES AND COUNCILLOR PORTFOLIOS**

37. Following the election of Chairman and Vice-Chairman at the STATUTORY ANNUAL MEETING, the Council shall appoint members to the Finance & General Purposes Committee and the Planning Committee and assign councillors their Portfolios for the forthcoming year.
38. The PARISH COUNCIL may at any time appoint members to committees and subcommittees as may be necessary, but they shall not hold office later than the next STATUTORY ANNUAL MEETING.
39. The Parish Council may at any time dissolve or alter the membership of a committee without reference to that committee.
40. The Chairman and Vice-Chairman shall both be members of the Finance and General Purposes Committee. For other sub-committees either the Chairman or the Vice-Chairman will attend.
41. Every committee shall, at its first meeting, elect a Chairman to hold office until the next STATUTORY ANNUAL MEETING of the Council. Note that for the Finance & General Purposes Committee the protocol is that this committee is chaired by the Vice-Chairman.
42. The Chair of the HR Committee, in consultation with that Committee, has the authority to decide whether the Committee takes an executive decision or makes a recommendation for discussion by the full Council. The latter will include matters that have a financial implication for the Council unless the Committee find the protection of confidentiality is paramount and the expenditure is limited to the HR budget.

#### **RULES OF DEBATE**

43. 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 urgency or expedience
44. Members of the Council and committees shall vote by SHOW OF HANDS.

#### **CLERK TO THE PARISH COUNCIL**

45. The Clerk shall sign and serve on councillors by email a summons (to include a read receipt) confirming the time, date, venue and agenda of a meeting of the Council and a meeting of a committee at least three clear days before a meeting. Such emails shall contain the electronic signature of the Clerk. Councillors shall acknowledge receipt of such emails.

46. Subject to Standing Orders 55 - 59, include in the Agenda all motions in the order received unless a councillor has given written notice of at least three days before the meeting confirming the withdrawal of it.
47. The Clerk shall convene a meeting of full Council for the election of a new Chairman of the Council occasioned by a casual vacancy in the office, in accordance with standing orders 13 and 44 above.
48. The Clerk shall retain copies of byelaws made and sent to us by other local authorities as relevant.
49. The Clerk shall receive and retain declarations of acceptance of office from councillors.

#### **MINUTES**

50. The Clerk shall, within 10 days of a Council meeting, send draft minutes to all members who attended the meeting for comment, advising by what date and time comments must be returned.
51. The Clerk shall deliver the final minutes of a Council meeting to all councillors along with the agenda for the next meeting. Where the delivery of the minutes along with the agenda is not possible, then the Clerk shall deliver the final minutes as soon as possible thereafter, but no later than 24 hours prior to the next meeting.
52. No discussion of the final minutes of a preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the minutes may be made by any councillor at the meeting and voted on by the members.
53. Minutes, including any amendment to correct their accuracy, 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.
54. All approved minutes kept by the Council and by any committee shall be open to inspection by any members of the Council or members of the public
55. Approved minutes of full Council meetings shall be displayed on the Council Notice Board by Bampton Town Hall for a minimum of 1 month. Additionally, the latest approved minutes shall be made available on the Bampton Parish Council Website.

#### **MOTIONS REQUIRING WRITTEN NOTICE**

56. In accordance with Standing Order 45, no motion may be moved at a meeting unless it is included in the agenda and the mover has given written notice of its wording to the Clerk at least seven clear days before the next meeting.
57. The Clerk may, before including a motion in the agenda received in accordance with Standing Order 55, correct obvious grammatical or typographical errors in the wording of the motion.
58. If the Clerk considers the wording of a motion received in accordance with Standing Order 55 is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Clerk in clear and certain language at least four working clear days before the meeting.

59. If the wording or nature of a proposed motion is considered unlawful or improper, the Clerk shall consult with the Chairman of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included or rejected in the agenda.
60. Having consulted with the Chairman or councillors pursuant to standing order 58 above, the decision of the Clerk as to whether or not to include the motion in the agenda shall be final.
61. Notice of every motion received in accordance with the Council's Standing Orders shall be numbered in the order received and shall be entered in a book, which shall be open to inspection by all councillors.
62. Every motion rejected in accordance with the Council's Standing Orders shall be duly recorded with a note by the Clerk giving the reasons for its rejection in a book for that purpose, which shall be open to inspection by all councillors.
63. Every motion and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area or its residents.

#### **MOTIONS NOT REQUIRING WRITTEN NOTICE**

64. Motions in respect of the following matters may be moved without written notice:
  - I. To appoint a person to preside at a meeting
  - II. To approve the accuracy of the minutes of the previous meeting
  - III. To correct an inaccuracy in the minutes of the previous meeting
  - IV. To dispose of business, if any, remaining from the last meeting
  - V. To alter the order of business on the agenda for reasons of urgency/or expedience
  - VI. To proceed to the next business on the agenda
  - VII. To close or adjourn debate
  - VIII. To refer by formal delegation a matter to a committee or the Clerk
  - IX. To appoint a committee or sub-committee or any councillors thereto
  - X. To receive nominations to a committee or sub-committee
  - XI. To dissolve a committee or sub-committee
  - XII. To note the minutes of a committee or sub-committee
  - XIII. To consider a report and/or recommendations made by a committee or subcommittee
  - XIV. To consider a report and/or recommendations made by the Clerk professional advisor, expert or consultant
  - XV. To authorise legal deeds to be signed by two councillors and witnessed
  - XVI. To authorise the payment of monies up to a value of £5000.
  - XVII. To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it
  - XVIII. To exclude the public or press for all or part of a meeting
  - XIX. To silence or exclude from a meeting a councillor or a member of the public or press for disorderly conduct
  - XX. To give the consent of the Council if such consent is required by Standing Orders
  - XXI. To suspend any Standing Order except those which are mandatory by law
  - XXII. To adjourn the meeting
  - XXIII. To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies
  - XXIV. To answer questions from councillors

#### **ORDERS FOR WORK**

65. No member of the Council or committee shall issue orders for work on behalf of the Council or committee unless authorised to do so by the Council or committee, except under exceptional circumstances of matters of emergency or health and safety and by agreement of the chair and vice chair, notwithstanding clause 73.

#### **CORRESPONDENCE**

66. All correspondence sent on behalf of the Council is to comply with the Document Management System procedures.

#### **PAID OFFICE**

67. A person is disqualified from holding PAID OFFICE under the Council so long as he or she is a member of the Council, and for a period of twelve months after ceasing to be one.

#### **FINANCE AND EXPENDITURE**

68. The Council's financial regulations shall be reviewed at least once per year.
69. The Council's financial regulations may make provision for the authorisation of the payment of money in exercise of any of the Council's functions to be delegated to a committee or to the Clerk.
70. The Council shall approve written estimates for its budget and precept for the coming financial year prior to end December each year.
71. Orders for payment shall be authorised by resolution of the Council and in accordance with our financial regulations.

#### **EXECUTION OF LEGAL DEEDS, LEASES AND CONTRACTS**

72. A legal deed, lease or contract shall not be executed on behalf of the Council unless the same has been authorised by a resolution.
73. In accordance with a resolution made under standing order 71, any two members of Council, may sign, on behalf of the Council, any deed, lease or contract, and the Clerk or legal representative shall witness their signatures.

#### **CONTRACTS**

74. For contracts with values of less than £2,500 excluding VAT, and especially where specialist services - e.g. electrical systems, fire systems, etc - are required, single sourcing of such contracts is acceptable.
75. Where it is intended entering into a contract with a value of between £2,500 and £7500 excluding VAT, the Clerk or RPC shall obtain at least two quotations in writing unless this is not possible due to, for instance, lack of available contactors or vendors. The Council may authorise single sourcing of the contract if this occurs.
76. Where it is intended to enter into a contract with a value greater than £7500, excluding VAT, the Clerk shall request at least three written tenders or quotations with companies or individuals approved by the Council. Note the recommended maximum is five. If three offers

are not received, then the Clerk will seek the Council's guidance as to the way forward. Note, due diligence requires at least three written tenders or quotations should be obtained for all such contracts, but in exceptional circumstances the Council may waive this requirement.

77. 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 2006 (SI No. 5, as amended) and the Utilities Contracts Regulations 2006 (SI No.6, as amended) apply to the contract and, if either of those regulations apply, the Council must comply with EU procurement rules.
78. In obtaining quotations and tenders, it must be made clear to the companies or individuals invited, the closing date for the quotation or tender. No quotation or tender may be accepted after the closing date.
79. Except when single sourcing is used, quotations and tenders shall be opened by the Clerk in the presence of at least one member of the Council.
80. A register of all contracts awarded shall be kept and maintained by the Clerk. This register shall be open to inspection by any member of the Council.
81. Evaluation of quotations and tenders must be made on a like-for-like basis against the defined Scope of Work. Evaluation of quotations may be made by the Clerk. Evaluation of tenders shall be made by a team including the Clerk and two members of the Finance & General Purposes Committee, or with two members of the Council if the former are not available.
82. Where clarification is required on quotations or tenders, these shall be made in writing to the appropriate bidder by the Clerk.
83. Should clarification meetings be required, the Clerk must arrange for at least two members to be present at such meetings, with minutes taken of the proceedings.
84. Where clarification means a change in the Scope of Work, terms and conditions, or materially impacts the tender, then all bidders must be advised accordingly to allow them to quote on a like-for-like basis.
85. All quotations and tenders received must be recorded in the Register of contracts by the Clerk. The Register shall be available for inspection by members.
86. Contracts should be awarded to the lowest technically acceptable bidder who complies with the Scope of Work. However, the Council is not obliged to accept the lowest tender or any tender, but where the lowest tenderer is not to be awarded the contract, a resolution by Council must be made indicating the reasons for the decision.
87. A member of the Council shall not solicit for any company or person for any work under the Council, but may provide a written testimonial of the bidder's capabilities, experience, character, etc.
88. Request for quotations and tenders must contain the following statements:
  - a) If a supplier, tenderer, bidder is to his/her knowledge related to any member or officer of the Council he/she shall disclose the relationship to the Clerk. Anyone who fails to do so



shall be disqualified for such contracts, and if already engaged, the contract may be terminated or withdrawn without further notice.

b) Canvassing by bidders of members of the Council, directly or indirectly, for any contract, shall disqualify the bidder.

#### **GENERAL POWER OF COMPETENCE**

89. Before exercising the general power of competence, a meeting of the full Council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria required to qualify as an eligible parish council.

#### **FREEDOM OF INFORMATION AND DATA PROTECTION ACTS**

90. Requests for information held by the Council shall be processed in accordance with the Council's policies in respect of handling requests under the Freedom of Information Act 2000 and the Data Protection Act 2018.

#### **LIAISON WITH COUNTY AND DISTRICT COUNCILLORS**

91. Invitations to attend meetings of the Council shall be sent, together with the agenda, to the councillor of the County Council, and the councillors of the District Council.

#### **RESPONSIBLE PARISH COUNCILLOR**

92. At the STATUTORY ANNUAL MEETING, Parish Councillors are elected to manage a portfolio of areas of Council business, and accordingly become the Responsible Parish Councillor (RPC) for such areas. As such, they are authorised by the Council to order works to be carried out in those areas, subject to clause 64 and clauses 73 through 87, and as long as prognosed expenditure is within the budget - which could be an annual budget or a contract budget, etc. Where expenditure is likely to exceed the budget then the RPC shall refer the issue to the Council for guidance. The Clerk is responsible to oversee that the financial health of the Council is maintained and that the RPCs manage their operations in compliance with these Standing Orders.

#### **BAMPTON RECREATION GROUND CHARITY**

93. All Councillors are automatically trustees of The Bampton Recreation Ground Charity. The Trustees shall manage the Charity as per the Charity's Standing Orders, which are based on, and are consistent with, the Bampton Parish Council Standing Orders.

Chairman: J Allinson

Date: 13<sup>th</sup> December 2023

(Actual signed copy in filing cabinet)