

KINGTON LANGLEY PARISH COUNCIL

STANDING ORDERS & FINANCIAL REGULATIONS

2024-25

*Standing Orders adopted by Kington Langley Parish Council at the Meeting on 8th January 2001
Minute No. 09 01.*

*Amended at the Meeting on 12th January 2002 Minute No. 117 02a.
Amended at the Meeting on 11th May 2005 Minute No. 56 05.
Amended at the Meeting on 11th December 2006 Minute No. 137 06.
Amended at the Meeting on 14th January 2008 Minute No. 014 08.
Amended at the Meeting 5th May 2009 minute No. 80.09
Amended at the meeting 12th April 2010 minute No. 63.10
Amended at meeting 9th May 2011 minute No. 79.11
Reviewed (no amendments) at meeting held on the 16th April 2012 minute No. 55.12
Amended at meeting 15th April 2013 minute No. 260.13(a)
Amended at meeting 10th March 2014 minute No. 185.14(a)
Amended and adopted at meeting 9th March 2015 minute No. 204.15
Amended and adopted at meeting 14th March 2016 Min No. 217.16
Amended and adopted at meeting 17th March 2017 Min No. 190.17
Reviewed (no amendments) at meeting 12th March 2018 Min No. 188.18
Reviewed (no amendments) at meeting 11th March 2019 Min No 200.19
Reviewed (no amendments) at meeting 9th March 2020 min No. 186.20
Reviewed (no amendments) at meeting 15th March 2021 min no. 137.21
Amended at the meeting on 9th May 2022 Min No 019.22(a)
Amended at the meeting on 11th July 2022 Min No. 056.22(e)
Amended at the meeting on 14th November 2022 Min No 107.22
Amended at the meeting on 13th February 2023 Min No 157.22
Reviewed at the meeting on 2nd May 2023 Min No 017.23
Reviewed without change at the meeting on 7th May 2024 Min No 016.24(d)*

KINGTON LANGLEY PARISH COUNCIL

MEETINGS

1. The Statutory Annual Meeting of the Parish Council shall
 - (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 the Council shall be held on such day in May as the Council may direct.
2. The three other statutory meetings shall be held in the months of September, January and March.
3. Additional meetings shall be held at the discretion of the Parish Council.
4. **Extraordinary Meetings** - The Chair of the Council may convene an extraordinary meeting of the council at any time.

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

The Chair of a committee [or a sub-committee] may convene an extraordinary meeting of the committee [or the sub-committee] at any time.

If the Chair of a committee [or a sub-committee] does not or refuses to call an extraordinary meeting within 7 days of having been requested by to do so by 2 members of the committee [or the sub-committee], any 2 members of the committee [and the sub-committee] may convene an extraordinary meeting of a committee [and a sub-committee].

CHAIR OF MEETING

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

PROPER OFFICER

6. The Proper Officer of the Council is the Clerk. The Responsible Financial Officer of the Council is the Clerk. Other duties and responsibilities of the Clerk are as laid down in the Conditions of Service Contract and Job Description.

QUORUM

7. Four members shall constitute a quorum. If a quorum is not present when the Council meets or if during a meeting the number of Members, for whatever reason, falls below the quorum, the business not transacted at that meeting shall be transacted at the next meeting or on such other day as the Chair may decide.

VOTING

8. If a member so requires, the Clerk shall record the names of the members who voted on any question to show whether they voted for or against it.
9. (i) Subject to (ii) and (iii) below, the Chair may give an original vote on any matter put to the vote. In the case of an equality of votes, the Chair shall have a second or casting vote.

(ii) 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 Chair and Vice Chair until the end of their term of their office he may not give an original vote in an election for Chair.

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

ORDER OF BUSINESS

(Note- In an election year Councillors should execute Declarations of Acceptance of Office in each others' presence, or in the presence of a proper officer previously authorised by the Council to take such declaration before the annual meeting commences.)

10. At each Annual Meeting the first business shall be
 - (a) To elect a Chair.
 - (b) To receive the Chair's declaration of acceptance of office 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.
11. At every meeting other than the Annual Meeting the first business shall be to appoint a Chair if the Chair and Vice-Chair be absent and to receive such declarations of acceptance of office (if any) as are required by law to be made, or if not then received to decide when they shall be received.
 - (a) After consideration to approve the signature of the Minutes by the person presiding as a correct record.
 - (b) To deal with business expressly required by statute to be done.
 - (c) The order of business shall be stated on an agenda paper which shall be delivered to each Member at least three clear days prior to the date of the meeting along with the summons convening the meeting.

RESOLUTIONS MOVED ON NOTICE

12. Except as provided by these Standing Orders, no resolution may be moved unless the business to which it relates has been included on the agenda.
13. Members may put an item or notice of resolution on the agenda by giving the Clerk written notice of the item or resolution at least seven clear days prior to the meeting to which that agenda relates.

RESOLUTIONS MOVED WITHOUT NOTICE

14. Resolutions on procedural matters may be moved without notice including those to vary the order of business on grounds of urgency or procedural efficiency. Such resolutions shall be put to the vote without discussion.

RESCISSION OF PREVIOUS RESOLUTIONS

15. A decision of the Council (whether affirmative or negative) shall not be reversed within six months except by a special resolution, the written notice of which bears the names of at least

three Members of the Council. When such a resolution has been disposed of, no similar resolution may be moved within a further six months.

DISORDERLY CONDUCT

16. All members must behave in a manner required by the Code of Conduct which was adopted by the Council on 2ND July 2012 (Minute 94.12) a copy of which is annexed to these Standing Orders.

17. INTERESTS

- a All councillors with voting rights shall observe the code of conduct adopted by the council.
- b Unless he has been granted a dispensation, a councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.
- c Unless he has been granted a dispensation, a councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the council's code of conduct. He may return to the meeting after it has considered the matter in which he 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] OR [by a meeting of the council, or committee or sub-committee for which the dispensation is required] and that decision is final.
- 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.

18. All members to register their interest online in accordance with regulations.

19. If a member has a personal interest as defined by the Code of Conduct adopted by the Council on 2 July 2012 (Minute 94.12) then he shall declare such interest as soon as it becomes apparent, disclosing the nature and extent of that interest as required. However, he/she may stay if he/she has valuable information to add.

INSPECTION OF DOCUMENTS

20. All documents including Minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council and the public, on request.

ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

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

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

(Note – The special reasons should be stated. If a person’s advice or assistance is needed, they may be invited (by names) to remain after the exclusion resolution is passed).

A person may not orally report or comment about a meeting as it takes place but otherwise may - Film, photograph or make an audio recording of a meeting.

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

CODE OF CONDUCT ON COMPLAINTS

- a Upon notification by the Unitary Council that it is dealing with a complaint that a councillor with voting rights has breached the council’s code of conduct, the Proper Officer shall, report this to the council. The Council will then decide on what action (if any) to take.
- b Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chair of Council of this fact, and the Chair will agree with members, what action, if any, to take
- 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.
 - iii. indemnify the councillor with voting rights in respect of his related legal costs and any such indemnity is subject to approval by a meeting of the council.
23. The Council shall deal with complaints of maladministration allegedly committed by the Council or by an Officer or member in such manner as adopted by the Council except for those complaints which may be directed to the Monitoring Officer at Wiltshire Council for consideration.

STANDING ORDERS TO BE GIVEN TO MEMBERS

24. A copy of these Standing Orders shall be given to each member by the Clerk upon delivery to him / her of the member’s declaration of acceptance of office and written undertaking to comply with the Code of Conduct adopted by the Council.

CONSIDERATION OF ADVICE PROVIDED AND GIVING REASONS

25. Councillors should have regard to advice from the Proper Officer of the Council where it is given under the officer’s statutory duties. Councillors should give reasons for all decisions in accordance with statutory requirements. Where councillors disagree with officer recommendations in making a decision, particular care should be taken in giving clear reasons for the decision.

DELEGATED POWERS

26. The Clerk to the Parish Council is given delegated powers to grant approval for requests to park on Kington Langley Registered Commons on behalf of the Parish Council and should report any such approvals to be minuted at the next meeting of the Parish Council.