Fotherby Parish Council

Regulation or Policy: Standing Orders 2021
The Regulation or Policy named above has been reviewed, approved and adopted at the Council Meeting held on 2 November 2026

Additional Information:

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1. RULES OF DEBATE AT MEETINGS

a) Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairman of the meeting.

b) A motion (including an amendment) shall not be progressed unless it has been moved and seconded.

c) If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.

d) An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.

e) If an amendment to the original motion is carried, the original motion (as amended) becomes the substantive motion upon which further amendment(s) may be moved.

f) A councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.

g) If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chairman of the meeting.

h) One or more amendments may be discussed together if the chairman of the meeting considers this expedient, but each amendment shall be voted upon separately.

i) During the debate on a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.

j) A point of order shall be decided by the chairman of the meeting and his decision shall be final.

k) Before an original or substantive motion is put to the vote, the chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.

2. 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) disregard 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 be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.

c If a resolution made under standing order 2(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 temporarily suspending or closing the meeting.

3. MEETINGS GENERALLY

Full Council meetings ▲
Committee 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 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 **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.**

d 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.

e The period of time designated for public participation at a meeting in accordance with standing order 3(d) shall not exceed 15 minutes unless directed by the chairman of the meeting.

f Subject to standing order 3(e) above, a member of the public shall not speak for more than 3 minutes.

g In accordance with standing order 3(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.

h A person who speaks at a meeting shall direct his comments to the chairman of the meeting.

i 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.

▲ j **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.**

k **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 absence be done by, to or before the Vice-Chairman of the Council.**

l **The Chairman of the Council, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman of the Council 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.**

m **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.**

n **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 his casting vote whether or not he gave an original vote.**

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

o **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 vote for or against that question.** Such a request shall be made before moving on to the next item of business on the agenda.

p 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 who are present and the names of councillors who are absent;
iii. interests that have been declared by councillors and non-councillors with voting rights;
iv. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
v. if there was a public participation session; and
vi. the resolutions made.

q **A councillor 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 right to participate and vote on that matter.**

r **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.**

s **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.

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 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 decides.**

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 decides.**

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 he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.**

g **The Vice-Chairman of the Council, unless he resigns or becomes 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, he shall preside at the 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 shall 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, he shall preside at the annual meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and shall 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, the business 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 at a later date. In a year which is not an election year, delivery by the Chairman of the Council of his 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 legal agreements) with other local authorities, not-for-profit bodies and businesses.

v. Review of representation on or work with external bodies and arrangements for reporting back;

vi. In an election year, to make arrangements with a view to the Council becoming eligible to exercise the general power of competence in the future;

vii. Review of inventory of land and other assets including buildings and office equipment;

viii. Confirmation of arrangements for insurance cover in respect of all insurable risks;

ix. Review of the Council's and/or staff subscriptions to other bodies;

x. Review of the Council's complaints procedure;

xi. Review of the Council's policies, procedures and practices in respect of its obligations under the freedom of information and data protection legislation (*see also standing orders 7, 16 and 17*);

xii. Review of the Council's policy for dealing with the press/media;

xiii. Review of the Council's employment policies and procedures;

xiv. Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence.

xv. Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.

5. EXTRAORDINARY MEETINGS OF THE COUNCIL

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 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 shall be signed by the two councillors.**

6. 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 exercisable by the chairman of the meeting.

7. MANAGEMENT OF INFORMATION

See also standing order 17 below.

a **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.**

b **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.**

c **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.**

d **Councillors and staff shall not disclose confidential information or personal data without legal justification.**

8. 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.

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 If the chairman 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 in the following terms or to the same effect:

"The chairman of this meeting does not believe that the minutes of the meeting of the ( ) held on [date] in respect of ( ) were a correct record but his view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings."

e Following 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.

9. CODE OF CONDUCT AND DISPENSATIONS

See also standing order 3(q) above.

a. All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.

b. Unless he 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 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 or non-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 defined in Section 11 below)* 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 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.

g. Subject to standing orders 9(d) and (f) above, a dispensation request 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 9(e) if having regard to all relevant circumstances any of the following apply:

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;
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.

10. CODE OF CONDUCT AND COMPLAINTS

a Upon notification by the District or County 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 7 above, report this to the Council.

b Where the notification in standing order 9(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 another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined.

c The Council may:

i. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;

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 or County 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 him. Such action excludes disqualification or suspension from office.**

11. PROPER OFFICER

a The Proper Officer shall be either (i) the clerk or (ii) other staff member(s) nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent. In the absence of The Clerk, the Chairman shall undertake the work of the Proper Officer. In the absence of both the Clerk and the Chairman, the Vice Chairman shall undertake the work of the Proper Officer. In the absence of any of the above, two councillors may nominate a Proper Officer to carry out the tasks required.

b The Proper Officer shall:

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 a signed summons confirming the time, place and the agenda, and**
- **provide a 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).**

ii. **convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;**

iii. **facilitate inspection of the minute book by local government electors;**

iv. **receive and retain copies of byelaws made by other local authorities;**

v. hold acceptance of office forms from councillors;

vi. hold a copy of every councillor's register of interests;

vii. assist with responding to requests made under the freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;

viii. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;

ix. manage the organisation of, storage of, security of and destruction of information held by the Council in paper and electronic form.

x. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;

xi. record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;

xii. refer a planning application received by the Council to the [Chairman or in his absence the Vice-Chairman of the Council] within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Council;

xiii. manage access to information about the Council via the publication scheme.

12. RESPONSIBLE FINANCIAL OFFICER (RFO)

The Clerk or appointed Councillor is to undertake the work of the Responsible Financial Officer. In the absence of The Clerk, the Chairman shall undertake the work of the RFO. In the absence of both the Clerk and the Chairman, the Vice Chairman shall undertake the work of the RFO. In the absence of any of the above, two councillors may nominate a councillor to carry out the tasks required.

13. 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 and

which 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
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 return shall be presented to all councillors before the end of the following May. The annual return of the Council, which is not currently subject to external audit, but will require an internal audit, shall be presented to the Council for consideration and formal approval before 30 June.

14. 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. the Clerk/RFO shall obtain 3 quotations (priced descriptions of the proposed supply) using the following criteria;

The Parish Council will determine the number of estimates and form in which estimates for work to be carried or items to be purchased are required and this will depend upon confidentiality, price and scope of work. Estimate submissions by suppliers may be Casual - by email or open letter, or Formal - by sealed tender. Where the value is below £100 the Council may agree expenditure if such expenditure is proposed and seconded. For anticipated expenditure above £100 and below £4,999 the Clerk/RFO will strive to obtain 3 estimates. A Formal Sealed Tender is required for all items likely to incur costs in excess of £5000. Goods or Services shall be procured on the basis of a formal tender or written/casual estimate as summarised in standing order 14(c) below.

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 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. the invitation to tender shall be sought from the number of tenders required as stated in the Financial Regs. and advertised in an appropriate manner;
iv. formal tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
v. formal 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;
vi. all tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.

15. HANDLING STAFF MATTERS

a) A matter personal to a member of staff that is being considered by a meeting of the Council is subject to standing order 7 above.

b) 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 and encrypted.

c) Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 15(b) above shall be provided only to the Proper Officer and the Chairman of the Council.

d) The chairman of or in his absence, the vice-chairman shall upon a resolution conduct a review of the performance and annual appraisal of the work of the clerk. The reviews and appraisal shall be reported in writing and are subject to approval by resolution.

e) Subject to the Council's policy regarding the handling of grievance matters, the Council's Proper Officer shall contact the chairman or in his absence, the vice-chairman in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of Council.

f) The Council and any persons responsible for the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.

16. RESPONSIBILITIES TO PROVIDE INFORMATION

See also standing order 18 below.

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. [*If gross annual income or expenditure (whichever is higher) does not exceed £25,000*] **The Council shall publish information in accordance with the requirements of the Smaller Authorities (Transparency Requirements) (England) Regulations 2015.**

17. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

See also standing order 7 above.

a **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.**

b **The Council shall have a written policy in place for responding to and managing a personal data breach.**

c **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.**

d **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.**

18. 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.

19. 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 **[Any two councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.]**

20. COMMUNICATING WITH DISTRICT 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 District and County Council.

21. RESTRICTIONS ON COUNCILLOR ACTIVITIES

Unless duly authorised no councillor shall:

Inspect any land and/or premises which the Council has a right or duty to inspect, or issue orders, instructions or directions.

22. DELEGATED AUTHORITY

The Clerk may on resolution undertake the following administrative tasks if necessary between council meetings;

Receiving and acknowledging correspondence.

Notifying parishioners of complaints regarding their hedges, fences, trees or boundaries where the complaint has been viewed by a member of the council and deemed to be valid. Such action will be reported at the next council meeting.

The Clerk may not issue instructions nor commit funds without resolution unless such action is essential for the continued provision of service in the parish in which case the action taken will be reported formally at the next council meeting. Any such commitment of funds may not exceed the budgeted amount for the expenditure.

23 STANDING ORDERS GENERALLY

a All or part of a standing order, except one that incorporates mandatory statutory or legal 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 or legal requirements, shall be proposed by a special motion. The motion will not stand unless supported by 2/3 of the Councillors present at the meeting in which it is proposed.

c The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible, following receipt of acceptance of office.

d The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.