

# West Hagbourne Parish Council

## Standing Orders

### 1. Committees and Sub-committees

- a The Council may appoint one or more committees as may be necessary.
- 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 or of a sub-committee may include non-Councillors unless it is a committee which regulates and controls the finances of the Council.
- d Except in the case of an advisory committee, at least two members of a committee or of a sub-committee of a committee must be parish Councillors
- e Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-Councillors.
- f In respect of committees, the Council:
  - i. shall determine their terms of reference;
  - ii. after it has appointed the members of a committee, shall appoint the Chair of the committee;
  - iii. shall determine the quorum for a meeting of a committee; and.
  - iv. may dissolve a committee.

### 2. Meetings generally

- a Meetings of the full Council 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 of the full Council does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.
- c The minimum three clear days' public notice for a meeting of a committee 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.
- d Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.

- e A person who is present at a meeting of the full Council or of a committee or sub-committee may not report orally or comment orally about the meeting whilst it is taking place. Otherwise a person may:
  - i. Film, photograph or make an audio recording of a meeting;
  - ii. Use any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; or
  - iii. Report or comment on the proceedings in writing during or after a meeting or report or comment on the proceedings orally after the meeting.
- f 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.
- g A question by a member of the public in accordance with standing order 2 (e) above, shall not require a response at the meeting nor start a debate on the question. The Chair of the meeting may direct that a written or oral response be given.
- h The Chair of the meeting at which there is public participation shall have the power to control the conduct of any members of the public present, including directing that a member of the public remain silent or that a member of the public leave the meeting.
- i The Chair, if present, shall preside at a meeting of the full Council. If the Chair is absent from a meeting of the full Council, the Vice-Chair, if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting of the full Council, a Councillor as chosen by the Councillors present at the meeting of the full Council shall preside at the meeting. Subject to Standing Orders which indicate otherwise, anything required to be done by or before the Chair may, in their absence, be done by or before the Vice-Chair or other Councillor appointed in accordance with this section i.
- j Subject to a meeting being quorate, all questions at a meeting of the full Council, a committee or a sub-committee shall be decided by a majority of the Councillors or Councillors with voting rights present and voting.
- k The Chair of a meeting of the full Council, a committee or a sub-committee 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 gave an original vote.
- l Voting on a question shall be by a show of hands or by an individual oral indication by each Councillor present. 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 or abstained. Such a request shall be made before moving on to the next item of business on the agenda.
- m 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 of the full Council, a committee or a sub-committee is subject to statutory limitations or restrictions under the code on his/her right to participate and vote on that matter.

- n No business may be transacted at a meeting of the full Council 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.
- o If a meeting of the full Council, a committee or a sub-committee 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.
- p Minutes shall be taken of all meetings and if the Clerk is present the Clerk shall take the the Minutes. The person who takes the minutes shall within two weeks of a meeting (or such further time as the Council may agree) prepare draft minutes which shall be circulated to those present at the meeting. Any comments or corrections shall be passed to the person who prepared the minutes within two weeks. After such amendments as may be necessary, the minutes shall be circulated again. Copies of the minutes of a meeting of the Council shall be provided to the person managing the village website for posting on the website. The version provided for posting on the village website shall be annotated to indicate that they are subject to formal approval at the next meeting of the Council. 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.

### 3. 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 7.30 pm.
- d In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council directs.
- e The first business conducted at the annual meeting of the Council shall be the election of the 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 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 Chair of the Council and Vice-Chair (if any) of the Council at the annual meeting of the Council, the business of the annual meeting shall include:
  - i. In an election year, delivery by the 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.
  - ii. 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.

## 4. Extraordinary meetings of the Council

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

## 5. 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 he/she has been granted a dispensation, a Councillor or non-Councillor with voting rights shall withdraw from a meeting when it is considering a matter in which 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. At the discretion of the Chair of the meeting the person may remain in the place where the meeting is taking place but shall not participate in discussions and shall have no voting rights on the matter.
- 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/she has another interest if so required by the Council's code of conduct. He/she may return to the meeting after it has considered the matter in which he/she had the interest. At the discretion of the Chair of the meeting the person may remain in the place where the meeting is taking place but shall not participate in discussions and shall have no voting rights on the matter.
- 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 a meeting of the full 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;
  - iv. and an explanation as to why the dispensation is sought.
- g A dispensation may be granted in accordance with standing order 5(e) above if having regard to all relevant circumstances the following applies:
  - i. without the dispensation the number of persons prohibited from participating in the 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.

## 6. Code of conduct complaints

- a Upon notification by the District Council that a Councillor or non-Councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.

## 7. Proper Officer

- a The Proper Officer shall be the clerk.
- b The Proper Officer shall:
  - i. at least three clear days before a meeting of the Council, a committee or of a sub-committee, serve on Councillors, by electronic means or by delivery or post at their residences, a signed summons confirming the time, place and the agenda for the meeting;
  - ii. at least three clear days before a meeting of the Council or a meeting of a committee or a sub-committee give 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. at least seven clear days before the Annual Parish Meeting give public notice of

the time, place and agenda; a copy shall be sent to the County Councillor and the District Councillor;

- iv. convene a meeting of full Council for the election of a new Chair of the Council, occasioned by a casual vacancy in his/her office;
  - v. facilitate inspection of the minute book by local government electors; and
  - vi. receive and retain copies of byelaws made by other local authorities.
- c Public notice of a meeting shall be by means of posting the notice on the parish notice board and, if required by the Council, in such other conspicuous place or places as the Council may direct and by giving publicity to the notice in such other manner as the Council may direct.

## 8. Financial controls and procurement

- a Financial regulations shall confirm that a proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £20,000 shall be procured on the basis of a formal tender as summarised in standing order 8(b) below.
- b 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 advertised in a local newspaper and in any other manner that is appropriate;
  - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
  - v. 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. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
- c Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- d Where the value of a contract is likely to exceed £138,893 (or other 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.

## 9. Handling of staff matters

- a The Council shall appoint an Employment Committee as necessary to handle employment issues concerning the Clerk, including the terms of employment, grievances, complaints, remuneration, appraisals and disciplinary matters. Decisions of the Employment Committee concerning remuneration are subject to approval at a meeting of the full Council.
- b The Clerk shall have a right of Appeal to the full Council from any decision of the Employment Committee.

## 10. Execution and sealing of legal deeds

- a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution at a meeting of the full Council.
- b Subject to standing order 10 (a) above, any two Councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.

## 11. Email Information

- a The Clerk shall keep a list of email addresses of residents of the village, who have provided them for notification purposes and shall circulate to people on that list communications which are relevant to villagers including notifications of planning applications, notices of road works or road closures and such other matters as the Council shall specify.

## 12. Planning

- a The Clerk shall circulate by email to Councillors and all residents on the list of email addresses of villagers, copies of all notifications of planning applications received.
- b If there is a meeting of the Council scheduled before the date for commenting on a planning application received, the Clerk shall place the planning application on the agenda of such meeting and the Council shall discuss and vote on the response to the application.
- c If there is no meeting of the Council scheduled before the date for commenting on a planning application received:
  - i if the application does not represent a large or controversial proposed development and is not otherwise of general importance to the village, the Clerk may respond under the Scheme of Delegation set out in section 13, as advised by the Councillors; or
  - ii if the application does not fall under section i above, the Clerk shall attempt to have the date for commenting delayed until after the next scheduled Council meeting such that the Council can discuss and vote on the response to the

application at such scheduled meeting. If such a proposed delay is not successful, then the Clerk shall call an emergency meeting of the Council, to which village residents will be invited, for the Council to discuss and vote on its response to the application.

## 13. Scheme of Delegation

- a. The Council may adopt a Scheme of Delegation to authorise the Clerk to the Council to act with delegated authority in the specific circumstances detailed below:
  - i. Proper Officer and Responsible Finance Officer
    1. To take action on any issue of such urgency that it cannot wait until the next normal Council meeting. If circumstances permit, the Clerk would normally be expected to consult the Chair (or Vice Chair if the Chair is unavailable) and take their views into account.
    2. To incur expenditure on behalf of the Council, which is necessary to carry out any repair, replacement or other work which is of such extreme urgency that it must be undertaken immediately, whether or not there is any budgetary provision for the expenditure, subject to a limit of £250 or as otherwise approved by the Council.
    3. To take any action regarding minor repairs (up to a cost of £250 or as otherwise approved by the Council) and to report minor matters to the relevant authority.
  - ii. Planning Delegation Powers
    1. Planning applications will normally be considered at the regular scheduled Council meetings.
    2. Any planning applications which are not able to be considered in the usual way shall be received by the Clerk who will provide details to Councillors and the process set out in section 12 above shall be followed. The Clerk shall respond to the relevant planning authorities as directed by the Council.
  - iii. Delegated actions shall be in accordance with Standing Orders and Financial Regulations and in line with directions given by Council from time to time and shall be reported to the next available Council meeting.

## 14. Management of Information

- 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. Such arrangements shall include deciding who has access to personal data and encryption of personal data.

- b. The Council shall have in place, and keep under review, appropriate 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.
- 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, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.
- e. 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.
- f. 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.
- g. The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning their personal data.
- h. The Council shall have a written policy in place for responding to and managing a personal data breach.
- i. 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.
- j. 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.
- k. The Council shall maintain a written record of its processing activities.

## 15. Standing orders generally

- a All or part of a standing order, except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b The decision of the Chair of a meeting as to the application of standing orders at the meeting shall be final.

Adopted by the Council at the meeting of the Council held on 11 March 2026.