

Bramshott and Liphook Parish Council

Standing Orders

December 2017

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Standing Orders

Definition: throughout this document Proper Officer refers to the Executive Officer of the Parish Council.

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- c A motion on the agenda that is not moved by its proposer may be treated by the chairman of the meeting as withdrawn.
- d If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- e An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- f If an amendment to the original motion is carried, the original motion becomes the substantive motion upon which further amendment(s) may be moved.
- g An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chairman of the meeting, is expressed in writing to the chairman.
- h 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.
- i 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.
- j Subject to standing order 1(k) below, only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairman of the meeting.
- k 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.
- l A councillor may not move more than one amendment to an original or substantive motion.
- m The mover of an amendment has no right of reply at the end of debate on it.

- n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate of the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
- o Unless permitted by the chairman of the meeting, a councillor may speak once in the debate on a motion except:
 - i. to speak on an amendment moved by another councillor;
 - ii. to move or speak on another amendment if the motion has been amended since he last spoke;
 - iii. to make a point of order;
 - iv. to give a personal explanation; or
 - v. in exercise of a right of reply.
- p During the debate of 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.
- q A point of order shall be decided by the chairman of the meeting and his decision shall be final.
- r When a motion is under debate, no other motion shall be moved except:
 - i. to amend the motion;
 - ii. to proceed to the next business;
 - iii. to adjourn the debate;
 - iv. to put the motion to a vote;
 - v. to ask a person to be no longer heard or to leave the meeting;
 - vi. to refer a motion to a committee or sub-committee for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting; or
 - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory requirements.
- s 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.
- t Excluding motions moved under standing order 1(r) above, the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 3 minutes without the consent of the chairman of the meeting. The length of time for discussion shall be determined by the chairman of the meeting

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 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
- Sub-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 **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice.**
- 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. Invited guests may be invited to remain after the public exclusion for a specific reason having been agreed by the Chair/Executive Officer.**
- e Every member who is unable to attend any meeting of the Council, Committee, Sub-Committee, Advisory Committee or Working Party Meeting should offer their apologies as soon as is reasonably possible. This will allow arrangements to be made to postpone the meeting if it is not quorate. A quorum is a minimum of 3 people or a third of the committee members. An attendance register should be signed at

each meeting.

- f Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- g The period of time designated for public participation at a meeting in accordance with standing order 3(d) above shall not exceed 15 minutes unless directed by the chairman of the meeting.
- h Subject to standing order 3(f) above, a member of the public shall not speak for more than 5 minutes.
- i 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.
- j A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- k A person shall raise his hand when requesting to speak. They will be asked if they choose to state their name for the record. If they do not wish to state their name, they shall be identified in the minutes as 'Parishioner #1' etc.
- l A person who speaks at a meeting shall direct his questions/comments to the chairman of the meeting.
- m 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.
- n **Filming, photographing, recording, broadcasting or transmitting the proceedings of any meeting of Council, or a committee or sub-committee should be conducted in accordance with the council's Press & Media policy.**

o **Any person wishing to report on the proceedings of a meeting as in paragraph (n) above 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 in accordance with the council's Press & Media policy.**

p **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 (if any).**

q **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.

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

s **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 5(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.

t **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.

u 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 present and 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.

v **A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.**

w **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.**

See standing order 4d(viii) below for the quorum of a committee or sub-committee meeting.

x **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.

y A meeting shall not exceed a period of 2 hours. This can be extended by a further ½

hour with the agreement of the meeting, or the meeting should be adjourned to a later date.

4. Committees, Sub-Committees, Advisory Committees, Working Parties and Forums

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

Standing Committees

- d The council may appoint standing committees or other sub-committees, working parties and forums as may be necessary, and:
 - i. shall determine their terms of reference;
 - ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of full council;
 - iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
 - iv. shall, subject to standing orders 4(b) and (c) above, appoint and determine the terms of office of members of such a committee;
 - v. shall, after it has appointed the members of a standing committee, appoint the chairman of the standing committee;
 - vi. shall permit a committee other than a standing committee, to appoint its own chairman at the first meeting of the committee;
 - vii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which shall be no less than three;
 - viii. shall determine if the public may participate at a meeting of a committee;
 - ix. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
 - x. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
 - xi. may dissolve a committee.
- e For the purposes of these Standing Orders, the standing committees of the Council

are:

- i. **Finance and Policy Committee: 6 members comprising of the Chairperson of the Council; the Chairpersons of the other 3 Standing Committees; 2 other Parish Councillors**
 - ii. **Planning Committee: 8 members**
 - iii. **Recreation Committee: 6 members**
 - iv. **Liphook Millennium Centre Management Committee: 6 members**
- f. Standing Committees may appoint Working Parties/Advisory Committees at the discretion of the Committee. They are not subject to the strict rules that apply to formal Council meetings and do not need to be held in public. Working Parties/Advisory Committees have no delegated powers to make decisions which bind the council and are not required to publish an Agenda or Minutes. A full report should be given to the Council each month as to the progress being made and to put forward any recommendations for the Council to vote upon.

g. **Terms of Reference for the Parish Council and Standing Committees**

i. **Full Council**

To maintain good relations with other local authorities

To carry out all matters in accordance with Bramshott and Liphook Standing Orders and Financial Regulations.

To promote and be the responsible body for the Neighbourhood Development Plan

To promote links with the County, District and Parish Council Associations.

To be the responsible body for the Liphook Millennium Centre (LMC)

To make appointments to outside bodies.

To fulfil a civic role, and liaise with community organisations, groups and bodies.

To handle matters pertaining to Local Government reviews/electoral arrangements.

To help to identify local housing needs and promote affordable housing schemes.

. To support and encourage local community groups who help to define the character of the parish such as Liphook Carnival and Liphook in Bloom.

To promote and support the local community by providing annual grants to organisations and charities benefitting residents of the parish.

To support the Citizens Advice Bureau outreach service at Liphook by providing premises.

To provide a presence office on behalf of EHDC and a Customer Access Point (CAP) on behalf of Hampshire County Council.

To act as the Trustees for the Bramshott War Memorial Recreation Ground Charity.
To act as Custodian Trustees of the Liphook Village Hall, Conford Village Hall and other community buildings (such as The Peak Centre). To act as custodians for the area of land known as the Little Rec gifted to the council in a will.

To ensure information is available about the community to the community.

To maintain information on the Parish Notice boards.

To keep the public and the media well informed.

The Chairman, and in his absence the Vice-Chairman, of the Parish Council is:

- To perform the appraisal of the Executive Officer by 31st May annually
- To attend the monthly Parish Office Staff meeting at which the Chair and Vice-Chair of the Council and the Executive Officer will be present. This meeting is organised by the Executive Officer and a written record of the meeting is to be taken. Any issues raised which need further action should be referred to the Finance and Policy committee.

The Chairman and the Executive Officer are responsible for liaising with HALC/NALC but any Councillor can approach these organisations directly.

ii. Finance and Policy Committee

To have fully delegated powers under Section 101 of the Local Government Act 1972.

To carry out all matters in accordance with Bramshott and Liphook Standing Orders and Financial Regulations.

To oversee all general policy matters not in the terms of reference of other committees.

To have overall responsibility for all financial matters and recommend to the Council an annual budget and precept.

To ensure the smooth running of the Parish office.

To have strategic responsibility for all staffing issues.

To ensure the insurance requirements are met and the inventory of the Council's property and equipment is updated annually.

To agree grants annually.

To be responsible for the Information Service on behalf of EHDC and publicise the Council's activities.

The Chairman of the Finance and Policy committee is:

- To deal with any employment issue raised by the Executive Officer on an informal and confidential basis, and refer any issues they are unable to deal with to the committee to action whenever they feel it is appropriate
- To deal with the Council's Management Consultants, Internal Auditor and the body responsible for the Annual Return.

iii. Planning Committee

To have fully delegated powers under Section 101 of the Local Government Act 1972.

To carry out all matters in accordance with Bramshott and Liphook Standing Orders and Financial Regulations.

To provide input, and where appropriate, recommendations to the Council into structure and local development plans, to comment on all planning applications, and to help publicise planning applications

To make representation on behalf of the council at EHDC or SDNPA meetings or hearings.

To comment on Tree Preservation Orders and associated matters, seeking advice from the Parish Tree warden as appropriate.

To report on and monitor planning enforcement action, and attend hearings relating to appeals.

The Chairman of the Planning Committee is delegated the authority to communicate with:

- EHDC and SDNPA and the Planning Inspectorate over any planning matter under consideration by the Council
- Any body or organisation that has a planning interest or function from whom it is necessary to seek advice in relation to a specific planning application or planning matter under consideration by the Council.

iv. Recreation Committee

To have fully delegated powers under Section 101 of the Local Government Act 1972.

To carry out all matters in accordance with Bramshott and Liphook Standing Orders and Financial Regulations.

To promote sport and recreation and its development within the community.

To ascertain and monitor sport and recreation needs within the Parish.

To assume strategic responsibility for: all Parish Council owned open spaces, sports and recreational facilities, buildings, equipment, vehicles and facilities owned by the Parish Council to include:

- Allotments including car parks, access, waiting lists, lettings and repairs
- Children's and young people's play facilities with the Parish, including any areas devolved by EHDC
- Grass cutting of Parish Council land
- A Landlord role for Bowling, Tennis, Cricket and Football Clubs
- Litter collection on Parish Council land and support EHDC litter collection when appropriate
- Dog waste bins

To prepare and promulgate appropriate bye-laws.

To manage the Lake House area and other areas subject to cultivation licenses as approved by Hampshire County Council.

The Chair of the Recreation Committee has delegated authority to communicate with the following and will inform members of the committee accordingly::

- With EHDC over sporting, recreational, grass cutting, litter, management of Radford Park matters that are under consideration by the Council
- With Hampshire Playing Fields Association over specific sporting and recreational matters under consideration by the Council
- With any organisation or body that has a recreational or sporting interest or function from whom it is necessary to seek advice in relation to matters set out in this clause that are under consideration by the Council.

v. Liphook Millennium Centre Management Committee

To have fully delegated powers under Section 101 of the Local Government Act 1972.

To monitor the Liphook Millennium Centre (LMC) on behalf of Bramshott and Liphook Parish Council.

To monitor LMC usage and need within the community, and encourage new users.

To make decisions on any improvements or repairs to the fabric or interior of the building.

To approve all documents relating to the Hire Agreements/Charges for users.

To be responsible for any Sub-Committees or Advisory Committees set up by the

Committee as approved by the Parish Council, and appoint a Chair and Vice-Chair of these Committees and Chair of any Advisory Committee annually.

5. Ordinary council meetings

- a In an election year, the annual meeting of the council shall be held on or within 14 days following the day on which the new councillors elected take office.**
- b In a year which is not an election year, the annual meeting of a council shall be held on such day in May as the council may direct.**
- c If no other time is fixed, the annual meeting of the council shall take place at 6pm.**
- d In addition to the annual meeting of the council, at least three other ordinary meetings shall be held in each year on such dates and times as the council directs.**
- e The first business conducted at the annual meeting of the council shall be the election of the Chairman and Vice-Chairman (if any) 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, if any, 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 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.**
- 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 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 must give a casting vote in the case of an equality of votes.**
- j Following the election of the Chairman of the Council and Vice-Chairman (if 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 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. Receipt of the minutes of the last meeting of a committee;
- iv. Consideration of the recommendations made by a committee;
- v. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
- vi. Review of the terms of reference for committees;
- vii. Appointment of members to existing committees;
- viii. Appointment of any new committees in accordance with standing order 4 above;
- ix. Review and adoption of appropriate standing orders and financial regulations;
- x. Review of arrangements, including any charters and agency agreements, with other local authorities and review of contributions made to expenditure incurred by other local authorities;
- xi. Review of representation on or work with external bodies and arrangements for reporting back;
- xii. 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;
- xiii. Review of inventory of land and assets including buildings and office equipment;
- xiv. Confirmation of arrangements for insurance cover in respect of all insured risks;
- xv. Review of the council's and/or staff subscriptions to other bodies;
- xvi. Review of the council's complaints procedure;
- xvii. Review of the council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998;
- xviii. Review of the council's policy for dealing with the press/media; and
- xix. Determining the time and place of ordinary meetings of the full council up to and including the next annual meeting of full council.

6. Extraordinary meetings of the council and committees and sub-committees

- 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 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.**
- c The chairman of a committee [or a sub-committee] may convene an extraordinary meeting of the committee [or the sub-committee] at any time.
- d If the chairman 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].

7. Previous resolutions

- a A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least 6 councillors to be given to the Proper Officer in accordance with standing order 12 below, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
- b When a motion moved pursuant to standing order 7(a) above has been disposed of, no similar motion may be moved within a further six months.

8. Co-option of Parish Councillors

- a The co-option of a Parish Councillor will be required following the notification of a casual vacancy for membership of the Parish Council. The name and address of anyone wishing to be considered will be forwarded to the Executive Officer by the date set out in the Casual Vacancy Notice.
- b Before the Parish Council meeting:
 - i. The Executive Officer will consult with the Electoral Services at East Hampshire District Council as appropriate
 - ii. The Vacancy Notice will be posted on all Parish Council notice boards and in the local press
 - iii. If an election is not required a Co-option Notice will be posted on all notice boards and local press. This is to request that interested parties forward a letter to the Council setting out the reasons why they wish to become a member of the Council
 - iv. The co-option will be placed on the agenda of the next full Council meeting, where the list of candidates will be provided for members with ballot papers setting out the name of each candidate
 - v. The vote or series of votes to co-opt members will then proceed. Each vacancy will be voted for in turn as a separate procedure. Only Councillors present may vote
 - vi. The candidate who receives the majority of votes will be declared elected by the Chair of the Council and co-opted to the Parish Council
 - vii. If no single candidate receives a majority, the candidate with the fewest votes will be eliminated as declared by the Chair. A further ballot will then commence.
 - viii. When all vacancies have been voted upon, the Chair will summon the new Councillor(s) to attend the next Parish Council meeting with a letter confirming their co-option and all Council documentation they require
- c After the Parish Council Meeting, electoral services at East Hampshire District Council are to be informed of the result and the newly co-opted Councillors should sign the Declaration of Acceptance of Office. This should be done prior to their participation in any Parish Council business.

9. Declaration of Acceptance of Office

- a Members either co-opted or elected are to sign the Register of Declaration of Acceptance in the presence of the Executive Officer of the Parish Council. This should be done prior to, or at, the first meeting after their election-co-option.
- b If the member has given prior notification that they will be unable to attend this meeting, the Council can decide to allow the member to sign the register at a later date. This cannot be later than the next meeting of the Parish Council.
- c Should the register remain unsigned two meetings after the election/co-option then this position will automatically become vacant.

10. Resignations

- a Any member wishing to resign should submit this in writing to the Chair of the Council. This will be announced by the Chair, or in his absence the Vice-Chair, at the next Council meeting.
- b If the Chair wishes to resign this should be addressed to the Parish Council as a whole and announced by the Chair, or in his absence the Vice-Chair, at the next Council meeting.

11. 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.

12. Motions for a meeting that require written notice to be given to the Proper Officer

- a A motion shall relate to the responsibilities of the meeting which it is tabled for and in any event shall relate to the performance of the council's statutory functions, powers and obligations or an issue which specifically affects the council's area or its residents.
- b No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least 7 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c The Proper Officer may, before including a motion on the agenda received in accordance with standing order 12(b) above, correct obvious grammatical or typographical errors in the wording of the motion.

- d If the Proper Officer considers the wording of a motion received in accordance with standing order 12(b) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer so that it can be understood at least 5 clear days before the meeting.
- e If the wording or subject of a proposed motion is considered improper, the Proper Officer 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 in the agenda or rejected.
- f Subject to standing order 12(e) above, the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g Motions received shall be recorded in a book for that purpose and numbered in the order that they are received.
- h Motions rejected shall be recorded in a book for that purpose with an explanation by the Proper Officer for their rejection.

13. Motions at a meeting that do not require written notice

- a The following motions may be moved at a meeting without written notice to the Proper Officer;
 - i. to correct an inaccuracy in the draft minutes of a meeting;
 - ii. to move to a vote;
 - iii. to defer consideration of a motion;
 - iv. to refer a motion to a particular committee or sub-committee;
 - v. to appoint a person to preside at a meeting;
 - vi. to change the order of business on the agenda;
 - vii. to proceed to the next business on the agenda;
 - viii. to require a written report;
 - ix. to appoint a committee or sub-committee and their members;
 - x. to extend the time limits for speaking;
 - xi. to exclude the press and public from a meeting in respect of confidential or sensitive information which is prejudicial to the public interest;
 - xii. to not hear further from a councillor or a member of the public;
 - xiii. to exclude a councillor or member of the public for disorderly conduct;
 - xiv. to temporarily suspend the meeting;
 - xv. to suspend a particular standing order (unless it reflects mandatory statutory requirements);
 - xvi. to adjourn the meeting; or
 - xvii. to close a meeting.

14. Handling confidential or sensitive information

- a The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential or sensitive information which for special reasons would not be in the public interest.
- b Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.
- c A Councillor has the right of access to financial information and Council minutes, including any committee or sub-committee meeting. The Executive Officer has the right to withhold information relating to council staff that is of a confidential nature for data protection reasons, although can discuss this information in general terms if necessary. Rights are available to the Councillor and members of the public under the Freedom of Information Act 2000 and associated legislation.

15. 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. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 13(a)(i) above.
- 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 Upon 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.

16. Disclosure of interests & dispensations

See also standing order 3(v) above.

You must within 28 days of taking office as a Councillor or Co-opted member, notify the Council's Monitoring Officer of the disclosable pecuniary interest as defined by regulations made by the Secretary of State, where the disclosable pecuniary interest is yours, your spouse's or civil partner's, or is the disclosable pecuniary interest of someone with whom you are living with as a husband or wife, or as if you were civil partners.

You must disclose the pecuniary interest at any meeting of the Council at which you are present, where you have a disclosable pecuniary interest in any matter being considered and where the matter is not a 'sensitive interest'.

Following any disclosure of a pecuniary interest not on the Council's register or the subject of pending notification, you must notify the Monitoring Officer of the pecuniary interest within 28 days beginning with the date of disclosure.

Unless dispensation has been granted, you must not participate in any discussion of, or vote on, or discharge any function related to any matter in which you have a pecuniary interest as defined by regulations made by the Secretary of State. You must withdraw from the room or chamber when the meeting discusses and votes on the matter

"Disclosable Pecuniary Interest" includes:

- any employment, office, trade, profession or vocation carried on for profit or gain.
- any payment or provision of any other financial benefit (other than from the Council) made or provided within the last 12 months in respect of any expenses incurred in carrying out duties as a member, or towards election expenses.
- any contract which is made with the Council under which (a) goods or services are to be provided or works are to be executed and (b) which has not been fully discharged.
- any beneficial interest in land within the District.
- any licence to occupy land in the District for a month or longer.
- any tenancy where the landlord is the Council.
- any beneficial interest in the securities of a body where (a) that body has a place of business or land in the District; and (b) either (i) the total nominal value of the securities held exceeds £25,000 or one hundredth of the total issued share capital of that body; or (ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which a beneficial interest exists exceeds one hundredth of the total issued share capital of that class.

A “sensitive interest” is described in the Localism Act 2011 as a member or co-opted member of a council having an interest, and the nature of the interest being such that the member or co-opted member, and the council’s monitoring officer, consider that disclosure of the details of the interest could lead to the member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation.

- a **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.
- b A decision as to whether to grant a dispensation shall be made by a meeting of the council, or committee or sub-committee for which the dispensation is required and that decision is final.
- c 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.
- d Subject to standing orders 13(a) and (c) above, dispensations requests 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] OR [at the beginning of the meeting of the council, or committee or a sub-committee for which the dispensation is required].
- e **A dispensation may be granted in accordance with standing order 13(b) 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.**

17. Code of conduct & complaints

The Council has adapted East Hampshire District Council’s Code of Conduct for Councillors as follows:

1. The Council has adopted the following code (“the code”) dealing with the conduct that is expected of Councillors when they are acting in that capacity as required by section 27 of the Localism Act 2011 (‘the Act’).

2. The Council has a statutory duty under the Act to promote and maintain high standards of conduct by Councillors and the Code sets out the standards that the Council expects them to observe.

3. The Code is not intended to be an exhaustive list of all the obligations that are placed on Councillors. It is the responsibility of individual Councillors to comply with the provisions of the Code as well as such other legal obligations as may apply to them from time to time. Failure to do so may result in a sanction being applied by the Council. Failure to take appropriate action in respect of a Disclosable Pecuniary Interest may result in a criminal conviction and a fine of up to £5,000 and/or disqualification from office for a period of up to five years.

4. The Code is intended to be consistent with the seven principles defined in paragraph 10 of this Code and applies whenever a person is acting in his/her capacity as a Councillor in the conduct of the Council’s business or acting as a representative of the Council or when giving the impression that they are acting as a representative of the Council.

5. This Code of Conduct applies to you whenever you are acting in your capacity as a Councillor, including:

- (i) at formal meetings of the Council, its Committees and Sub-Committees.
- (ii) when acting as a representative of the Council.
- (iii) in taking any decision as a Councillor.
- (iv) in discharging your functions as a Councillor.
- (v) at briefing meetings with Council employees.
- (vi) at site visits. and
- (vii) when corresponding with the Council other than in a private capacity.

6. Failure to comply with the requirements of paragraph 9–12 of this Code constitutes a criminal offence for which you may be prosecuted. Failure to comply with any of the other sections of the Code may result in censure of you by the Council

7. Common law developed by the courts indicated that, at least in relation to “quasi-judicial” functions such as Planning, Councillors should not participate if a reasonable member of the public who is neither complacent nor unduly sensitive or suspicious would in the circumstances conclude that there is a real possibility of bias by a Councillor. This Code requires Councillors to excuse themselves from involvement in decision making where they have a “Disclosable Pecuniary Interest” in the matter under consideration. However, it is possible that when exercising their powers in, for example, planning, other interests could lead a reasonable member of the public to conclude that

there was a real possibility of bias on the part of the Councillor. In such circumstances they should not participate in the decision-making process (i.e. they should not vote nor, unless they are requested by the Chairman of the Committee on a point of clarification, speak on the matter). In cases of doubt or difficulty, advice should be sought from the Executive Officer.

8. General obligations of Councillors. As a Councillor, your conduct will address the principles of the Code of Conduct by:

- (i) Representing residents and putting their interests first.
- (ii) Dealing timely (and in case, within 28 days) with enquiries from residents, members of communities, within the administrative area of Bramshott & Liphook Parish Council and visitors fairly, appropriately and impartially.
- (iii) Not allowing other pressures (such as personal friendship etc and including the financial interests of yourself or others connected to you) to deter you from pursuing constituents' casework, the interests of the Council's area, or the good governance of the Council in a proper manner.
- (iv) Exercising independent judgement and not compromising your position by placing yourself under obligations to outside individuals or organisations who might seek to influence the way you perform your duties.
- (v) Listening to the interests of all parties, including relevant advice from statutory and professional officers of the Council, taking all relevant information into consideration, remaining objective and making decisions on merit.
- (vi) Being accountable for your decisions and co-operating when scrutinised internally and externally.
- (vii) Contributing to making the Council's decision-making processes as open and transparent as possible.
- (viii) Restricting access to information when the wider public interest or the law requires it.
- (ix) Behaving in accordance with all the Council's legal obligations, alongside any requirements contained in the Council's policies, protocols and procedures relating to conduct.
- (x) Not bullying any person. Bullying is defined as offensive, intimidating, malicious, insulting or humiliating behaviour which attempts to undermine, hurt or humiliate an individual or group. It can have a damaging effect on a victim's confidence, capability and health. Bullying conduct can involve behaving in an abusive or threatening way, or making allegations about people in public, in the company of their colleagues, through the press or in blogs. It may happen once or be part of a pattern of behaviour, although minor isolated incidents are unlikely to be considered bullying.
- (xi) Ensuring that when using or authorising the use by others of the resources of the Council that such resources are not used improperly or for political purposes.
- (xii) Having regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986 or otherwise.
- (xiii) Not knowingly doing anything which might cause the Council to breach any legislation.

- (xiv) Valuing your colleagues and Officers of the Council and engaging with them in a respectful and courteous manner.
- (xv) Always treating all people and organisations with respect and propriety.
- (xvi) Providing leadership through behaving in accordance with these principles.
- (xvii) Being careful not to bring your role as a Councillor into disrepute with the use of your language when using social media by, for example posting inappropriate messages.
- (xviii) Being careful with the use of your language when using social media in your personal capacity as it may conflict with your role as a Councillor and impact on your reputation in the Council.
- (xix) When engaging in the use of e-mail be careful not to disclose information not intended to reach others or those who do not need to see the information.

10. This Code is based on and consistent with the following seven Nolan principles.

SELFLESSNESS Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits.

INTEGRITY Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

OBJECTIVITY In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

ACCOUNTABILITY Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

OPENNESS Holders of public office should be as open as possible about the decision and actions they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

HONESTY Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

LEADERSHIP Holders of public office should promote and support these principles by leadership and example.

Any code of conduct complaint should in the first instance be dealt with by East Hampshire District Council. In the absence of this then Bramshott and Liphook Parish Council should deal with the complaint in the following way.

- a Upon notification by the District 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 11 above, report this to the council.

- b Where the notification in standing order 14(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 [(England) and the council has agreed what action, if any, to take in accordance with standing order 14(d) below].
- 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;
- d **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.**

18. Proper Officer

- a The Proper Officer shall be either (i) the Executive Officer or (ii) other staff member(s) nominated by the council to undertake the work of the Proper Officer when the Proper Officer is absent.
- b The Proper Officer shall:
 - i. **at least three clear days before a meeting of the council, a committee and a sub-committee serve on councillors, by delivery or post at their residences, or by email to their councillor email address, a signed summons confirming the time, place and the agenda.**
See standing order 3(b) above for the meaning of clear days for a meeting of a full council and standing order 3 (c) above for a meeting of a committee.
 - ii. **give public notice of the time, place and agenda at least three clear days before a meeting of the council or a meeting of a committee or a sub-committee (provided that the public notice with agenda of an extraordinary meeting of the council convened by councillors is signed by them);**
See standing order 3(b) above for the meaning of clear days for a meeting of a full council and standing order 3(c) above for a meeting of a committee.
 - iii. subject to standing order 12 above, include on the agenda all motions in the order received unless a councillor has given written notice at least 5 days before the meeting confirming his withdrawal of it;
 - iv. **convene a meeting of full council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;**
 - v. facilitate inspection of the minute book by local government electors;
 - vi. **receive and retain copies of byelaws made by other local authorities;**

- vii. retain acceptance of office forms from councillors;
- viii. retain a copy of every councillor's register of interests;
- ix. assist with responding to requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the council's policies and procedures relating to the same;
- x. receive and send general correspondence and notices on behalf of the council except where there is a resolution to the contrary;
- xi. manage the organisation, storage of, access to and destruction of information held by the council in paper and electronic form;
- xii. arrange for legal deeds to be executed;
See also standing order 25 below.
- xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the council in accordance with the council's financial regulations;
- xiv. record every planning application notified to the council and the council's response to the local planning authority in a book for such purpose;
- xv. refer a planning application received by the council to the [Chairman or in his absence the Vice-Chairman of the Council] OR [Chairman or in his absence Vice-Chairman (if any) of the Planning Committee] 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 Planning committee;
- xvi. manage access to information about the council via the publication scheme; and
- xvii. retain custody of the seal of the council (if any) which shall not be used without a resolution to that effect.
See also standing order 25 below.

19. Responsible Financial Officer

- a The council shall appoint appropriate staff member(s) to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

20. 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 (England)]
- 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 for each quarter;
 - ii. the council's aggregate receipts and payments 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 for the last quarter and the year to date for information; and
 - ii. to the full council the accounting statements for the year in the form of Section 1 of the annual 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 applying the form of accounts determined by the council (receipts and payments, or income and expenditure) for a year to 31 March. A completed draft annual return shall be presented to each councillor before the end of the following month of May. The annual return of the council, which is subject to external audit, including the annual governance statement (which should be completed at a Council meeting), shall be presented to council for consideration and formal approval before 30 June.

21. 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. procurement policies (subject to standing order 21(c) below) including the setting of values for different procedures where a contract has an estimated value of less than £60,000.
- b Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c **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 £60,000 shall be procured on the basis of a formal tender as summarised in standing order 21(d) below.**
- d 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.
- e Neither the council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- f **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.**

22. Handling staff matters

- a A matter personal to a member of staff that is being considered by a meeting of council OR the Finance and Policy committee OR any other sub-committee dealing with staff matters is subject to standing order 14 above.
- b Subject to the council's policy regarding absences from work, the council's most senior member of staff shall notify the chairman of the Council or, if he is not available, the vice-chairman of the Council of absence occasioned by illness or other reason and that person shall report such absence to the Council at its next meeting.
- e The chairman of the Council 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 Executive Officer. The reviews and appraisal shall be reported in writing and is subject to approval by resolution by the Finance and Policy committee. The Executive Officer is responsible for ensuring that staff reviews are carried out for the remainder of the staff.
- d Subject to the council's policy regarding the handling of grievance matters, the Executive Officer shall contact the chairman of the Finance and Policy committee or in his absence, the vice-chairman of the Finance and Policy committee in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Finance and Policy committee.
- e Subject to the council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the Executive Officer relates to the chairman or vice-chairman of the Finance and Policy committee, this shall be communicated to another member of the Finance and Policy committee, which shall be reported back and progressed by resolution of the Finance and Policy committee.
- f Any persons responsible for all or part of the management of staff shall treat the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters as confidential and secure.
- g 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.
- h Only persons with line management responsibilities shall have access to staff records referred to in standing orders 22(f) and (g) above if so justified.
- i Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 22(f) and (g) above shall be provided only to the Executive Officer.

23. Requests for information

- a Requests for information held by the council shall be handled in accordance with the council's policy in respect of handling requests under the Freedom of Information Act 2000 and the Data Protection Act 1998.
- b Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the chairman of the Council. The Chairman/Council shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000.

24. 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 Press & Media policy..

25. Execution and sealing of legal deeds

See also standing orders 18(b)(xii) and (xvii) above.

- a A legal deed shall not be executed on behalf of the council unless authorised by a resolution.

Subject to standing order 25(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.

26. Communicating with District and County or Unitary 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 representing the area of the council.
- b Unless the council determines otherwise, a copy of each letter sent to the District and County Council shall be sent to the ward councillor(s) representing the area of the council.

27. Restrictions on councillor activities

- a Unless authorised by a resolution, no councillor shall:
 - i. inspect any land and/or premises which the council has a right or duty to inspect; or
 - ii. issue orders, instructions or directions.

28. 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 A motion to add to or vary or revoke one or more of the council's standing orders, except one that incorporates mandatory statutory requirements, shall be proposed by a special motion, the written notice by at least 6 councillors to be given to the Proper Officer in accordance with standing order 9 above.
- c The Proper Officer shall provide a copy of the council's standing orders to a councillor as soon as possible after he has delivered his acceptance of office form.
- d The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.

