

BRANDESBURTON STANDING ORDERS

Amended October 2014

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BRANDESBURTON PARISH COUNCIL

STANDING ORDERS

MEETINGS

1. Meetings of the Council shall be held at the Methodist Church, Main Street, Brandesburton, East Riding of Yorkshire, unless the Council decides otherwise at a previous meeting. Dates will be confirmed for the following year at the December Meeting.

2. **The Statutory Annual Meeting of the Council (a) in an election year shall be held within FOURTEEN days after the date on which the Councillors at that election take office and (b) in a year which is not an election year shall be held on the first convenient Monday in May as the Council may decide.**

3.
 - a. The Chairman of the Council may call an EXTRAORDINARY MEETING of the Parish Council at any time.

 - b. If the Chairman of the Council refuses to call an Extraordinary Meeting of the Council after a requisition for that purpose signed by TWO members of the Council, or if, without so refusing, the Chairman does not call an Extraordinary meeting of the Council within SEVEN days after such a requisition has been presented, then any TWO members of the Council may forthwith convene an Extraordinary meeting of the Council.

The summons shall set out the business to be considered at the EXTRAORDINARY meeting of the Council and no other business shall be transacted.

CHAIRMAN OF MEETING

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

PROPER OFFICER

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

Notwithstanding those duties and responsibilities, it shall be the duty of the Clerk to advise Members on the content and interpretation of these Standing Orders.

QUORUM

- 6 Five members shall constitute a quorum at meetings of the Council.
- 6.1 Except where ordered by the Council in the case of a committee, or by the Council or by the appropriate committee in the case of a sub-committee, the quorum of a committee shall be 3 members.
7. If a quorum is not present when the Council meets or if during a meeting the number of Members, for whatever reason, falls below the quorum, the business not transacted at that meeting shall be transacted at the next meeting or on such other day as the Chairman may decide.

VOTING

8. Members shall vote by a show of hands, or, if a member so requests, by roll call or recorded ballot. That is to say the Parish Clerk shall record the names of members who voted on any question so as to show whether they voted for or against it.
9. The Chairman may give an original vote on any matter put to the vote and, in the case of equality of votes, may give a casting vote, whether or not an original vote was given.
- a) If the person presiding at the annual meeting would have ceased to be a member of the council but for the statutory provisions which preserve the membership of the Chairman and Vice-Chairman until the end of their term of office he may not give an original vote in an election for Chairman.
- b) The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman

ORDER OF BUSINESS

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

10. **At each Annual General Meeting the first business shall be:-**
- a) **To elect the Chairman of the Council.**
 - b) **To receive the Chairman's declaration of acceptance of office of, if not then received, to decide when it shall be received.**
 - c) **In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.**
 - d) **To decide when any declarations of acceptance of office which have not been received as provided by law shall be received.**

- e) **To elect a Vice-Chairman of the Council**
 - f) **To appoint representatives to outside bodies**
 - g) **To appoint committees and sub-committees**
 - h) **The order of business shall be stated on an agenda, which shall be delivered to each Member at least three clear days prior to the date of the meeting along with the summons convening the meeting and thereafter shall follow the order set out in standing order 12**
11. **At every meeting other than the Annual Meeting the first business shall be to appoint a Chairman if the Chairman and Vice-Chairman be absent and to receive such declarations of acceptance of office (if any) and undertakings to observe the Council's Code of Conduct as are required by law to be made or, if not then received, to decide when they shall be received.**
12. After the first business has been completed, the order of business, unless the Council otherwise decides on the ground of urgency, shall be as follows :-
- a) To read and consider the Minutes; provided that if a copy has been circulated to each member not later than the day of issue of the summons to attend the meeting, the Minutes may be taken as read.
 - b) After consideration to approve the signature of the Minutes by the person presiding as a correct record.
 - c) To deal with business expressly required by statute to be done.
 - d) To dispose of business, if any, remaining from the last meeting.
 - e) To receive such communications as the person presiding may wish to lay before the Council.
 - f) To answer questions from Councillors.
 - g) To receive and consider reports and minutes of committees.
 - h) To receive and consider resolutions or recommendations in the order in which they have been notified.
 - i) To authorise the sealing of documents.
 - j) If necessary, to authorise the signing of orders for payment

URGENT BUSINESS

13. A motion to vary the order of business on the ground of urgency

- (a) may be proposed by the Chairman or by any member and, if proposed by the Chairman, may be put to the vote without being seconded, and
- (b) shall be put to the vote without discussion.

RESOLUTIONS MOVED ON NOTICE

- 14. Except as provided by these Standing Orders, no resolution may be moved unless the business to which it relates has been put on the Agenda by the Clerk or the mover has given notice in writing of its terms and has delivered the notice to the Clerk at least seven clear days before the next meeting of the Council.
- 15. The Clerk shall date every notice of resolution or recommendation when received by him, shall number each notice in order in which it was received and shall enter it in a book which shall be open to inspection to every member of the Council.
- 16. The Clerk shall insert in the summons for every meeting all notices of motion or recommendation properly given in the order in which they have been received unless the member giving a notice of motion has stated in writing that he intends to move at some later meeting or that he withdraws it.
- 17. If a resolution or recommendation specified in the summons is not moved either by the member who gave notice of it or by any other member, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.
- 18. If the subject matter of a resolution comes within the province of a committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to such committee or to such other committee as the Council may determine for report; provided that the Chairman, if he considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.
- 19. Every resolution or recommendation shall be relevant to some question over which the Council has power or duties, which affects its area.

RESOLUTIONS MOVED WITHOUT NOTICE

- 20. Resolutions dealing with the following matters may be moved without notice :-
 - (a) To appoint a Chairman of the meeting;
 - (b) To correct the Minutes;
 - (c) To approve the Minutes;
 - (d) To alter the order of business;
 - (e) To proceed to the next business;
 - (f) To close or adjourn the debate;
 - (g) To refer a matter to a committee;
 - (h) To adopt a report;
 - (i) To authorise the sealing of documents;
 - (j) To amend a resolution;

- (k) To give leave to withdraw a resolution or an amendment;
- (l) To extend the time limit for speeches;
- (m) To exclude the public. (*See Order 63 below*)
- (n) To silence or eject from the meeting a member named for misconduct; (*See Order 32 below*)

QUESTIONS

- 22. A member may ask the Chairman or the Clerk any question concerning the business of the Council, provided 2 clear days notice of the question has been given to the person to whom it is addressed.
- 23. No questions not connected with business under discussion shall be asked except during the part of the meeting set aside for questions.
- 24. Every question shall be put and answered without discussion.
- 25. A person to whom a question has been put may decline to answer.

RULES OF DEBATE

- 26. No discussion shall take place at any meeting upon the Minutes except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chairman.
- 27.
 - (a) A resolution or amendment shall not be discussed unless it has been proposed (and seconded), and, unless proper notice has already been given, it shall, if required by the Chairman, be reduced to writing and handed to him before it is further discussed or put to the meeting.
 - (b) A member when seconding a resolution or amendment may, if he then declares his intention to do so, reserve his speech until a later period of the debate.
 - (c) A member shall direct his speech to the question under discussion or to a personal explanation or to a question of order.
 - (d) No speech by a mover of a motion shall exceed FIVE minutes, and no other speech shall exceed THREE minutes except by the consent of the Council
 - (e) An amendment shall be either :-
 - (i) To leave out words;
 - (ii) To leave out words and insert or add others;
 - (iii) To insert or add words.
 - (f) An amendment shall not have the effect of negating the motion before the Council.
 - (g) If an amendment be carried, the motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved
 - (h) A further amendment shall not be moved until the Council has disposed of every amendment previously moved.

- (i) A member, other than the mover of a resolution, shall not, without leave of the Council, speak more than once on any resolution except to move an amendment or further amendment, or on an amendment, or on a point of order, or in personal explanation, or to move a closure.
- (j) A member may rise to make a point of order or a personal explanation. A personal explanation shall be confined to some material part of a former speech by him, which may have been misunderstood. A member rising for these purposes shall be heard forthwith.
- (k) A motion or amendment may be withdrawn by the proposer with the consent of the Council, which shall be signified without discussion, and no member may speak upon it after permission has been asked for its withdrawal unless such permission has been refused.
- (l) When a resolution is under debate no other resolution shall be moved except the following :-
 - (i) To amend the resolution
 - (ii) To proceed to the next business;
 - (iii) To adjourn the debate;
 - (iv) That the question be now put;
 - (v) That a member named be not further heard;
 - (vi) That a member named leave the meeting;
 - (vii) That the resolution be referred to a committee;
 - (viii) To exclude the public and press;
 - (ix) To adjourn the meeting.
- (m) The mover of a resolution or of an amendment shall have a right of reply, not exceeding 3 minutes

28. A member shall stand when speaking unless permitted by the Chairman to sit.

29.

- (a) The ruling of the Chairman on a point of order or on the admissibility of the personal explanation shall not be discussed.**
- (b) Members shall address the Chairman;**
- (c) If two or more members rise, the Chairman shall call upon one of them to speak and the others shall resume their seats.**
- (d) Whenever the Chairman rises during a debate all other members shall be seated and silent.**

CLOSURE

30. At the end of any speech a member may, without comment, move “that the question be now put”, “that the debate be now adjourned” or “that the Council do now adjourn”. If such motion is seconded the Chairman shall put the motion but, in the case of a motion “to put the question”, only if he is of the opinion that the question before the Council has been sufficiently debated. If the motion “that the question be now put” is carried, he shall call upon the mover to exercise or waive his right of reply and shall put the question

immediately after that right has been exercised or waived. The adjournment of a debate or of the Council shall not prejudice the mover's right of reply at the resumption.

DISORDERLY CONDUCT

- 31.
- (a) All members must observe the Code of Conduct which was adopted by the Council on 11th June 2012, a copy of which is annexed to these Standing Orders.
 - (b) No member shall at a meeting persistently disregard the ruling of the Chairman, wilfully obstruct business, or behave irregularly, offensively, improperly, or in such a manner as to scandalise the Council or bring it into contempt or ridicule.
 - (c) If, in the opinion of the Chairman, a member has broken the provisions of paragraph (a) of this Order, the Chairman shall express that opinion to the Council and thereafter any member may move the member named be no longer heard or that the member named do leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
 - (d) If either of the motions mentioned in paragraph (b) is disobeyed, the Chairman may suspend the meeting or take such further steps as may reasonably be necessary to enforce them.

RIGHT OF REPLY

32. The mover of a resolution shall have a right to reply immediately before the resolution is put to the vote. If an amendment is proposed, the mover of the amendment shall be entitled to reply immediately before the amendment is put to the vote. A member exercising a right of reply shall not introduce new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

ALTERATION OF AMENDMENT

33. A member may, with the consent of his seconder, reword his/her own motion/amendment.

RESCISSION OF PREVIOUS RESOLUTION

- 34.
- (a) A decision (whether affirmative or negative) of the Council shall not be reversed within six months except either by a special resolution, the written notice whereof bears the names of at least 8 members of the Council, or in pursuance of a recommendation of a committee.
 - (b) When a special resolution has been disposed of, no similar resolution may be moved within a further six months.

VOTING ON APPOINTMENTS

35. Where more than two persons have been nominated for any position to be filled by the Council and of the votes given there is not an absolute majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken, and so on until a majority of votes is given in favour of one person.

DISCUSSIONS AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL

36. If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service, of any person employed by the Council, it shall not be considered until the Council or committee (as the case may be) has excluded the public and press from the meeting. (See standing order No. 58)

EXPENDITURE

37. Orders for the payment of money shall be authorised by resolution of the Council or Policy & Resources Committee and signed in accordance with the bank mandate, with not less than 2 signatories, one of whom should be the RFO (*See Financial Regulations of the Council*)

COMMITTEES AND SUB-COMMITTEES

38. The structure, terms of reference and delegation of Committees is specified in Appendix A attached.
39. The Council may at the Annual Meeting appoint standing committees and may at any other time appoint such other committees as are necessary, but subject to any statutory provision in that behalf :-
- (a) shall not appoint any member of a committee so as to hold office later than the next Annual Meeting, and
 - (b) may at any time dissolve or alter the membership of a committee. (Subject to SO 34)
 - (c) shall follow the procedure in the selection of the membership of committees :-
 - (i) Full Council will decide the makeup of all committees and their composition will be announced at the Annual General Meeting.
 - (ii) To enable the panel to carry out its task, at least 7 days in an election year or 14 days in a non election year before the Annual Meeting, Councillors are required to indicate their choice of the committees in order of preference.
 - (d) If a Member fails throughout six consecutive months to attend any meetings of the Council and of its committees or sub-committees of which he or she is a Member, shall, unless the failure was due to some reason approved by the Council before the expiry of that period (or for statutory reasons), cease to be a Member of the Council.

40. Every committee shall at its first meeting before proceeding to any other business, elect a Chairman and Vice-Chairman. The Vice-Chairman shall perform the duties of the Chairman in his absence. If at any meeting the Chairman and the Vice-Chairman are absent, the committee shall elect a Chairman from that meeting from among their number pro tem.
41. The Chairman of a committee or the Chairman of the Council may summon an additional meeting of that committee at any time. An additional meeting shall also be summoned on the requisition in writing of not less than a quarter of the members of the committee. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.
42. Every committee may appoint sub-committees for purposes to be specified by the committee.
43. The Standing Orders on rules of debate (except those parts relating to standing and to speaking more than once) and the Standing Order on interests of members, in contracts and other matters shall apply to committee and sub-committee and working party meetings.

VOTING IN COMMITTEES

44. Members of committees and sub-committees shall vote by show of hands.
45. **Chairman of committees and sub-committees shall in the case of an equality of votes have a second or casting vote.**

PRESENCE OF NON-MEMBERS OF COMMITTEES AT COMMITTEE MEETINGS

46.
 - a) A member who has proposed a resolution which has been referred to any committee of which he is not a member, may explain his resolution to the committee but shall not vote.
 - b) Any member of the Parish Council shall be entitled to be present as a spectator at the meetings of any committees or sub-committee of which he is not a member, with the exception of the Personnel Committee.

ACCOUNTS AND FINANCIAL STATEMENT

47.
 - (a) Except as provided in paragraph (b) of this Standing Order or by statute, all accounts for payment and claims upon the Council shall be laid before the Council.

- (b) Where it is necessary to make a payment before it has been authorised by the Council or Policy & Resources Committee, such payment shall be certified as to its correctness and urgency by the appropriate officer. Such payment shall be authorised by the Chair and Vice Chair of the committee, if any, having charge of the business to which it relates, or by the Chairman or Vice-Chairman of the Council.
- (c) All payments ratified under sub-paragraph (b) of this Standing Order shall be separately included in the next schedule of payments laid before the Council.

48. The Clerk shall supply to each member at the ordinary meeting next after the end of the Financial Year a statement of Income and Expenditure where possible.

ESTIMATES

49. (a) The Council shall approve written estimates for the coming financial year not later than its meeting in the month of January.

(b) Any committee desiring to incur expenditure shall, not later than November, recommend to the Council (or Policy & Resources Committee) a written estimate of the expenditure recommended for the coming year

50. **INTERESTS**

1. If a member has a personal interest as defined by the Code of Conduct adopted by the Council on 11th June 2012 then he shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required.

If a member who has declared a personal interest then considers the interest to be prejudicial, he must withdraw from the room or chamber during consideration of the item to which the interest relates.

51. **The Clerk may be required to compile and hold a register of member's interests in accordance with agreement reached with the Monitoring Officer of the Responsible Authority and/or as required by statute.**

CANVASSING OF AND RECOMMENDATIONS BY MEMBERS

- 52.
- (a) Canvassing of members or of any committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make known the purport of this sub-paragraph of this Standing Order to every candidate.
 - (b) A member of the Council shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but, nevertheless, a member may give a

written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.

53. Standing Order No. 53 shall apply to tenders as if the person making the tender were a candidate for an appointment.

INSPECTION OF DOCUMENTS

54. A member may for the purpose of his duty as such (but not otherwise), inspect any document in possession of the Council or a committee, and if copies are available shall, on request, be supplied for the like purpose with a copy. Guidance shall be taken from the adopted "Protocol on Member / Officer Relations".
55. **All Minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council.**

UNAUTHORISED ACTIVITIES

56. No member of the Council or of any committee or sub-committee shall in the name of or on behalf of the Council;
- (a) Inspect any lands or premises which the Council has a right or duty to inspect; or
 - (b) issue orders instructions or directions

Unless authorised to do so by the Council or the relevant committee or sub-committee.

ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

57. At all meetings of the Council or committees the Chairman may at his discretion and at a convenient time in the transaction of business, adjourn the meeting so as to allow any members of the public to address the meeting in relation to the business to be transacted at that meeting, or to ask questions of the Council or Councillors. A period of 15 minutes may be set aside for this public forum. The public shall be admitted to all meetings of the Council and its committees and sub-committees, which may, however, temporarily exclude the public by means of the following resolution:

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

(Notes: The special reasons should be stated. Circular 1/86 issued by the National Association deals with the situations where it is likely to be desirable to exclude the public. If a person's advice or assistance is needed they may be invited (by name) to remain after the exclusion resolution is passed).

58. The Clerk shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present. There shall be no

audio or video recording or photographs of the meeting without the express approval of the Council.

59. If a member of the public interrupts the proceedings at any meeting, the chairman may, after warning, order that he be removed from the Council Chamber.

RECORDING OF COUNCIL MEETINGS

60. This council is committed to the principles of openness and transparency and encourages members of the public to attend all meetings of the council, its committees and sub-committees and therefore embraces the rights extended to members of the public by the Openness of Local Government Bodies Regulations 2014.
61. For the purpose of this policy the term “record” means any form of audio, visual or electronic recording.

Recording

62. This council will display a statement at each of its meetings, or the Chairman of the meeting will read it aloud, which says “This council supports the rights of anyone to record this meeting but advises that anyone so recording cannot disrupt the meeting, by means of the recording, and expresses the hope that the person (or persons) carrying out the recording have obtained the necessary legal advice, for themselves, to ensure they understand the rights of any members of the public who may be present who do not wish to be filmed or recorded”.
63. This council will define an area from which recording may be carried out and, if given advance notice, will strive to ensure that reasonable facilities are made available to any person wishing to record, e.g. provision of a table. However the council should point out that the physical layout of any room may restrict the council’s ability to make any provision.
64. All recording will be undertaken from a static point.
65. A person or persons recording a council meeting are reminded that the “Public Participation” period is not part of the council meeting as such and that they should take legal advice for themselves as to their rights to make any recording during that period. Additionally legislation provides that where a member of the public indicates to the Chairman that he or she wishes to address the council on a point under discussion, that person cannot speak unless Council resolves that the meeting is suspended. A person or persons making a recording should obtain their own legal advice in order that they understand their rights in law to record during this period of suspension.
66. A person or persons making a recording by means of filming should give consideration to the need for the use of additional lighting. The council will have regard to the impact of such lighting on the ability of others present to view the meeting, or for reasons of health, and may require that such lighting is not used or is reduced to a level which does not adversely affect other people.
67. A person or persons making a recording has no right to interrupt a council meeting by asking questions or making comments.

68. Where a council proposes to record all of its own meetings that will not prevent any other person or persons from also recording.
69. Where a council proposes to record all of its own meetings it will be bound by this policy.
70. Where a council proposes to record all of its own meetings, it will resolve how long such recordings will be kept and how members of the public may obtain copies. The council will include such recordings within its Scheme of Publication.
71. The council expresses the hope that where a person or persons makes a recording of a council meeting for the purpose of reproduction elsewhere, that any reproduction of the recording is made without alteration.
72. Where the press and public are excluded from a meeting owing to the confidential nature of the business to be transacted, recording of that part of the meeting will not be permitted.
73. This council is not liable for the actions of any person making a recording at a council meeting which identifies a member of the public or for any publication of that recording.
74. The minutes of a council meeting remain the statutory and legally binding formal record of council decisions.

CONFIDENTIAL BUSINESS

75. (a) No member of the Council or of any committee or sub-committee shall disclose to any person not a member of the Council any business declared to be confidential by the Council, the committee or the sub-committee as the case may be.
- Any member in breach of the provisions of paragraph (a) of this Standing Order shall be removed from any committee or sub-committee of the Council by the Council.

LIAISON WITH UNITARY COUNCILLORS

76. A notice of meeting shall be sent together with an invitation to attend to all Councillors for the Parish of Brandesburton
77. Unless the Council otherwise orders, a copy of each letter ordered to be sent to the Principal Council shall be transmitted to the appropriate Councillor for the ward as the case may require.

PLANNING APPLICATIONS

78. (a) The Clerk shall, as soon as it is received, record the following particulars of every planning application notified to the Council in a manner it sees fit:-
- (l) the date on which it was received;

- (ii) the name of the applicant;
 - (iii) the place to which it relates;
 - (iv) a summary of the nature of the application
- (b) The Clerk shall make available every planning application to the Chairman of the Parish Council or in the Chairman's absence to the Vice-Chairman prior to the Parish Council Meeting.
- (c) The Clerk shall record the Council's view on the planning application.

CODE OF CONDUCT ON COMPLAINTS

79. The Council shall deal with complaints of misadministration allegedly committed by the Council or by any officer or member in such manner as adopted by the Council except for those complaints which should be properly to the Standards Board of England

VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

80. Any or every part of the Standing Orders except those printed in **bold type** may be suspended by resolution in relation to any specific item of business.
81. A resolution permanently to add, vary, or revoke a Standing Order shall when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

FINANCIAL MATTERS

82.

The Council shall consider and approve Financial Regulations drawn up by the Responsible Financial Officer.

- 1) Such Regulations shall include detailed arrangements for the following:
 - a) the accounting records and systems of internal control;
 - b) the assessment and management of risks faced by the Council;
 - c) the work of the Internal Auditor and the receipt of regular reports from the Internal Auditor which shall be required at least annually;
 - d) the financial reporting requirements of members and local electors and
 - e) procurement policies (subject to (2) below) including the setting of values for different procedures where the contract has an estimated value less than £65,000.
- 2) Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £65,000 shall be procured on the basis of a formal tender as summarised in (3) below.
- 3) Any formal tender for an amount in excess of £65,000 shall comprise the following steps:
 - a) a public notice of intention to place a contract to be placed in a local newspaper;
 - b) a specification of the goods, materials, services and the execution of works shall be drawn up;

- c) tenders are to be sent, in a sealed marked envelope, to the Clerk by a stated date and time;
 - d) tenders submitted are to be opened, after the stated closing date and time, by the Clerk and at least one member of Council;
 - e) tenders are then to be assessed and reported to the appropriate meeting of Council or Committee.
- 4) The Council, nor any Committee, is not bound to accept the lowest tender, estimate or quote.
 - 5) The Financial Regulations of the Council shall be subject to regular review, at least once every two years.

(Council is reminded that the European Union Public Sector Procurement Rules are likely to apply to contracts with a value in excess of £140,000 and advice should be sought at this level.

STANDING ORDERS TO BE GIVEN TO MEMBERS

- 83. A copy of these Standing Orders shall be given to each member by the Clerk upon delivery to him of the member's declaration of office and acceptance of office and undertaking to observe the Code of Conduct.

BRANDESBURTON PARISH COUNCIL MEMBER CODE OF CONDUCT

(1) Introduction and Interpretation

- (1) This Code applies to you as a Member of the Parish Council when you act in your role as a Member and it is your responsibility to comply with the provisions of this Code.
- (2) You are a representative of the Parish Council and the public will view you as such therefore your actions impact on how the authority as a whole is viewed and your actions can have both a positive and negative impact on the authority.
- (3) The public expect Members to act in an open and transparent manner.
- (4) In this Code -

'Meeting' means any meeting of:-

- (a) the Parish Council
- (b) the Parish Council's Committees, sub-committees or working groups

- (c) or representing the Council on other organisations/committees/bodies

'Member' includes all Members and co-opted and appointed Members of the Parish Council.

'Family' means Spouse, Civil partner, any person with whom you are living as a Spouse or Civil Partner, parent, grandparent, child, grandchild or sibling.

(2) General Obligations

- (1) You must treat others with respect.
- (2) You must not bully any person.
- (3) You must not conduct yourself in a manner that could reasonably be regarded as bringing your office or authority into disrepute.
- (4) You must not disclose information given to you in confidence by any one or information acquired by you which you believe, or ought to be aware, is of a confidential nature, except where :-
 - (1) You have the consent of the person authorised to give it;
 - (2) You are required by law to do so;
 - (3) Disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or
 - (4) The disclosure is:-
 - (a) Reasonable in the public interest; and
 - (b) Made in good faith and in compliance with the reasonable requirements of the Parish Council; and
 - (c) You have consulted the East Riding of Yorkshire Council's Monitoring Officer prior to its release.
- (5) You must not prevent another person from gaining access to information to which that person is entitled by law.
- (6) You must not use or attempt to use your position as a Member improperly to confer on or secure for yourself or any other person an advantage or disadvantage.
- (7) When using or authorising the use by others of the resources of the Parish Council you must:-

- (1) Act in accordance with the Parish Council's reasonable requirements.
- (2) Ensure that such resources are not used improperly for political purposes (including party political purposes).
- (3) Have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

(3) Registration of Interests

- (1) You must before the end of 28 days beginning on the day on which you become a Member of the Parish Council or within 28 days of any change in an interest or becoming aware of any new interest notify the Monitoring Officer of:
 - (i) Your interests falling within the categories set out below:-
 - (a) Pecuniary Interests
 - (b) Bodies to which you are appointed or nominated by the Town Council (i.e. outside body appointments).
 - (c) Bodies exercising functions of a public nature of which you are a Member (including regional and local development agencies, other (parish) councils, public health bodies, school governing bodies).
 - (d) Bodies directed to charitable purposes of which you are a Member (including the Lions, the Masons, a Parochial Council; not just bodies registered with the Charity Commission).
 - (e) Bodies whose principal purposes include influence of public opinion or policy (including any political party or trade union) of which you are a Member.
 - (f) Any employment or business carried on by you (including any voluntary work undertaken).
 - (g) Any person or body that has employed or appointed you (including any organisations that have appointed you to an office, for example as a Magistrate or Board of a Government Agency).
 - (h) Any person or body, other than a relevant authority who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties (including political parties/local political associations).

- (i) Any person who has a place of business or land in the Parish Council's area and in which you have a beneficial interest in a class of securities of that person or body that exceeds the nominal value of £25,000 or one hundredth of the total issued shared capital (whichever is the lower) (including stocks, shares, bonds or options).
 - (j) Any contracts for goods, services or works made between the Parish Council and you or a firm in which you are a partner, a company of which you are a remunerated Director or a company or body specified in paragraph (i).
 - (k) Any person from whom you received in your capacity as a Member a gift or hospitality that amounts to the value of at least £25.
 - (l) Any land in the authority's area in which you have a beneficial interest (including your home and business addresses and other properties/land that you own, rent or use).
 - (m) Any land where the landlord is the Parish Council and you are, or a firm of which you are a partner, a company of which you are a remunerated Director or a person or body of the description specified in paragraph (i) is, the tenant (including allotments where the Parish Council owns or leases the land).
 - (n) Any land in the Parish Council's area for which you have a license (alone or jointly) to occupy for 28 days or longer including an allotment).
 - (o) Any person employed by the authority who is a member of your family.
- (ii) The Pecuniary interests of your:-
- (a) Spouse or civil partner.
 - (b) Any person with whom you are living as husband or wife.
 - (c) Any person with whom you are living as if they were a civil partner.
- (2) You need only notify the Monitoring Officer of any interests of which you are aware pursuant to paragraph (3) (1) above.
- (3) Where you become a Member of the Parish Council as a result of a re-election or re-appointment you only need to disclose interests not already entered on the register.

- (4) Where the nature of the interest is such that you consider that the disclosure of the interest could lead to you or a person connected with you being subject to violence or intimidation, (and the Monitoring Officer agrees) details of the interests will not be included in any published version of the register of interests save that the register will state you have an interest the details of which are withheld under section 32(2) of the Localism Act 2011.

4) Non - Pecuniary Interests

- (1) You have a non pecuniary interest in any business of the Parish Council where either it is likely to affect any of the bodies listed in paragraph 3(1)(i) (b) to (o) of the Code or, the decision in relation to that business might reasonably be regarded as affecting your well being, or financial position, or the well being or financial position of a relevant person to a greater extent than the majority of other Council tax payers, rate payers or inhabitants of the area affected by the decision.
- (2) A relevant person is:-
- (a) A member of your family or any person with whom you have a close association, or
 - (b) A person or body who employs or has appointed such persons any firm of which they are a partner or any company of which they are Directors.
- (3) Where you have a non-pecuniary interest in any business of the Parish Council and you attend a meeting of the Parish Council at which that business is considered you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration or when the interest becomes apparent.
- (4) Sub paragraph (3) only applies where you are aware or ought reasonably to be aware of the existence of the interest.
- (5) Where you have an interest but by virtue of paragraph 3 (4) it is not registered in the Parish Council's register of interests you must indicate you have a non-pecuniary interest but need not disclose the sensitive information to the meeting.

(5) Pecuniary Interests

- (1) You have a pecuniary interest in any business of the authority where you have an interest that falls within sub paragraphs (3)(1)(i) (a) or (3)(1)(ii) above.

(6) Effect of Pecuniary Interest on participation

- (1) Where you have a pecuniary interest in any business of the authority and you attend a meeting at which the business is considered you must then:-
 - (a) Disclose the existence and nature of that interest at the commencement of that consideration or when the interest becomes apparent. Subject to sub paragraph (c) below.
 - (b) Retire to the public gallery of the room or Chamber where the meeting considering the business is being held.
 - (c) If the pecuniary interest is a sensitive interest as set out in sub paragraph (3) (4) above you need only disclose the fact that you have a pecuniary interest.