

**STANDING ORDERS OF THE CODSALL PARISH COUNCIL  
made pursuant to the Local Government Act 1972 Sch. 2 para 42**

**Revised & Adopted 15<sup>th</sup> May 2019**

**I. CONVENING OF MEETINGS**

**I.1. Convening of Meetings of the Full Council:**

- i. Members of the Council shall be summoned to attend a meeting of the Full Council to be called at 7.00 p.m. on the second and fourth Wednesday in each month other than in the month of August.
- ii. Members of the Council shall be summoned to attend any Extraordinary Meeting of the Full Council that may be called from time to time and such meeting shall be called for 7.00 p.m. on any Wednesday other than a Wednesday in which a Meeting of the Full Council pursuant to Standing Order I.1.i. is to be held unless the Clerk in consultation with the Chair of the Council shall determine by virtue of the urgency of the matter or the nature of the business or the availability of members or the availability of a meeting place, that the meeting shall be called for another day or another time.
- iii. No meeting of the Full Council, howsoever convened, shall continue for a period in excess of two hours except by Resolution of the Council at that meeting pursuant to Standing Order V.2.i.

**I.2. Convening of Meetings of the Planning Committees of the Council:**

- i. Members of the Council shall be summoned to attend a meeting of the Planning Committee of the Council to consider Planning Applications and related matters at 7.00pm on the second and the fourth Wednesday in each month other than in the month of August.
- ii. Members of the Council shall be invited to attend an Extraordinary Meeting of the Planning Committee of the Council to consider Planning Applications and related matters that shall not be timely presented before a meeting of the Planning Committee of the Council at a time and on a day to be determined by the Clerk in consultation with the Chair of the Council.
- iii. Members of the Planning Sub-Committee shall meet to consider recommendations to the Planning Committee of the Council at a time and on a day to be determined by the Clerk in consultation with the Chair of the council in each month other than in the month of August for the purpose of site meetings & extraordinary items.

**I.3. Convening of Site Meetings:**

- i. A site meeting that is to be convened in fulfilment of a decision of the Full Council shall be convened in accordance with that decision.

- ii. The Clerk may convene a site meeting in relation to any matter of Council business as and when required and shall determine the invitees who may include members of the public who are concerned with the business for which the site meeting is called and the meeting may be convened as either a meeting to which members of the Council are invited or a meeting to which members of a Committee of the Council are invited.

**I.4. Convening of Meetings of the Standing Committees of the Council:**

- i. The periodic frequency of meeting and the day and time of meetings of any Standing Committee shall be determined by the Terms of Reference for that Committee pursuant to Standing Order VII.
- ii. The day or the time of the meeting of any Standing committee may be varied on occasion if the consent of a majority of the members of that Committee is obtained.

**I.5. Convening of Meetings of the Ad Hoc Committees of the Council:**

- i. The periodic frequency of meeting and the day and time of meetings of any Ad Hoc Committee shall be determined by the Terms of Reference for that Committee pursuant to Standing Order VII.
- ii. The day or the time of the meeting of any Ad Hoc Committee may be varied on occasion if the consent of a majority of the members of that Committee is obtained.

**II. QUORUM**

**II.1. Quorum of Meetings of the Full Council howsoever convened pursuant to Standing Order I.1.:**

- i. The meeting shall be quorate when five members of the Council are present.
- ii. An inquorate meeting cannot pass a Resolution to bind the Council.
- iii. In the event of a meeting becoming inquorate after its commencement, the Chair of the Council shall, at his or her absolute discretion, determine the business that may continue to be conducted and this determination shall not supersede other provision of Standing Order II.1.
- iv. An inquorate meeting may determine recommendations and these shall be considered at the next quorate meeting of the Full Council convened pursuant to Standing Order I.1

**II.2. Quorum of Meetings of the Planning Committees of the Council howsoever convened pursuant to Standing Order I.2.:**

- i. A meeting of the Planning Committee of the Council shall be quorate when four members of the Council are present.

- ii. A meeting of the Planning Sub-Committee shall be quorate when two members of the Committee are present.

**II.3. Quorum of Meetings of the Standing Committees of the Council:**

- i. A meeting of any Standing Committee shall be quorate when two members of its Committee are present.

**II.4. Quorum of Meetings of the Ad Hoc Committees of the Council:**

- i. A meeting of any Ad Hoc Committee shall be quorate when two members of its Committee are present.

**III. AGENDA**

**III.1. Agenda of Meetings of the Full Council howsoever convened pursuant to Standing Order I.1.:**

- i. The agenda shall be determined by the Clerk to the council in consultation with the Chair of the Council.
- ii. The agenda shall be made available at the close of business on the day falling one week prior to the date of the meeting.
- iii. A copy of the full agenda shall be despatched to members of the council by email, or to those members without email facilities or do not wish email communications, by the best possible means by no later than the day following the date determined pursuant to Standing Order III.1.ii.
- iv. A member may submit to the Clerk business for consideration at a meeting of the Full Council and this shall be dealt with pursuant to the provision of Standing Order III.1.
- v. Correspondence received after the close of business on the day falling one week prior to the date of the Full Council meeting ~~up to the day of the meeting~~ shall be included under Correspondence at the next Full Council meeting.
- vi. The order of business as set out in the agenda of a meeting is subject to the provision of Standing Order V.2.

**III.2. Agenda of Meetings of the Planning Committee of the Council convened pursuant to Standing Order I.2.i. and I.2.ii:**

- i. The agenda shall be determined by the Clerk to the Council in consultation with the Chair of the Council
- ii. The agenda shall be made available at the close of business on the day falling one week prior to the date of the meeting and shall be notified to members of

the Council by means of Email provided the Councillors have previously agreed to this, or if not, by the best possible means.

- iii. Planning Applications and other planning business received after the agenda has been notified shall be included for consideration at the meeting without prior notice.

### **III.3. Agenda of Meetings of the Standing Committees and Ad Hoc Committees of the Council:**

- i. For every committee the agenda shall be determined by the Chair of the Committee in accordance with any provision for agenda as set out in the Terms of Reference for that Committee pursuant to Standing Order VII or Standing Order VIII
- ii. For every Committee the Chair of the Committee shall furnish a copy of the agenda for any meeting of that Committee to the Clerk to the Council.

## **IV. MINUTES**

### **IV.1. Minutes of Meetings of the Full Council howsoever convened pursuant to Standing Order I.1.:**

- i. The Minutes shall be taken by the Clerk to the Council and in the event of the Clerk being unavailable with notice the Chair of the Council shall nominate a suitable person to take the Minutes and in the event of the Clerk to the Council being unavailable without notice the Chair presiding at the meeting shall ask a member of the Council to take the Minutes.
- ii. The Minutes shall be sent to members of the Council with the notification of Agenda pursuant to Standing Order III.1.
- iii. The Minutes shall be kept in accordance with the recognised procedures for a Parish Council and the provisions relating to records in the Minutes pursuant to Standing Order V. shall also be included.

### **IV.2. Minutes of Meetings of the Planning Committee of the Council convened pursuant to Standing Order I.2.i. and I.2.ii.:**

- i. The Minutes shall be taken by the Clerk to the Council and in the event of the Clerk being unavailable with notice the Chair of the Council shall nominate a suitable person to take the Minutes and in the event of the Clerk to the Council being unavailable without notice the Chair presiding at the meeting shall ask a member of the Council to take the Minutes.
- ii. The Minutes shall be sent to members of the Council with the notification of agenda pursuant to Standing Order III.2.
- iii. The Minutes shall be kept in accordance with the recognised procedures for a Parish Council

**IV.3. Minutes of Meetings of the Standing Committees and Ad Hoc Committees of the Council:**

- i. The Chair of the Committee for every Committee shall nominate a suitable person to take the Minutes.
- ii. The Chair of the Committee for every Committee shall furnish a copy of the Minutes for any meeting of the committee to the Clerk to the Council.

**V. CONDUCT OF MEETINGS OF THE COUNCIL CONVENED PURSUANT TO STANDING ORDER I.**

**V.1. Order:**

- i. The person presiding at the meeting may exercise all the powers and duties of the Chair of the Council in relation to the conduct of the meeting.
- ii. Members are required to maintain order and to obtain the permission of the Chair to speak.
- iii. The Chair on the advice of the Clerk to the Council shall determine the appropriateness of any debate or part of a debate in respect of the consideration of the business or part of the business as set out in the agenda for the meeting and this determination shall be binding on the members of the Council
- iv. A period of time for general debate shall be allowed at the commencement of consideration of all business as set out in the agenda for a meeting during which time no proposal on that business may be made and the length of time for such debate shall be determined at the discretion of the Chair subject to a Resolution carried by a majority of the members present at the meeting that the period of general debate be either continued or concluded.
- v. The chair shall at his or her discretion bring to a close the consideration of any business or any part of business as set out in the agenda for a meeting subject to a Resolution carried by a majority of members present at the meeting that the business shall continue to be discussed at the present meeting.
- vi. Should any matter arise relating to the personal interests of any individual it shall not be considered until the Council has first decided whether the public and press shall be excluded
- vii. A member who has declared an interest in any business set out in the agenda shall leave the Council Chamber for the duration of the debate on that business unless invited to remain by the Chair and in this event the member shall not participate in any part of that business other than to provide a specified point of information at the request of the Chair.

- viii. In the event of disorderly conduct at the meeting, howsoever arising, the Chair has the absolute right to suspend business until order is resumed or to close the meeting if order cannot be resumed.
- ix. Smoking of any sort shall not be permitted at any meeting of the Council.

**V.2. Motions and Resolutions:**

- i. A motion to suspend Standing Order I.1.iii. shall not be moved without a Resolution by as many members as constitute a quorum.
- ii. A Resolution of the Council shall not be reversed within six months of its being made other than by a special Resolution proposed in writing and signed by the proposer and seconded by as many members as constitute a quorum.
- iii. A motion to alter the order of business as set out in the agenda for a meeting may be moved at any time during that meeting by a Resolution carried by a majority of the members present at the meeting.
- iv. A motion to defer for consideration at a later meeting of the Council any business as set out in the agenda may be moved at any time during that meeting by the Chair.
- v. The Chair may, at his or her discretion, require any motion to be reduced to writing.
- vi. The point in time that a member may make a proposal in respect of any business or part of business as set out in the agenda for the meeting is subject to Standing Order V.1.iv.
- vii. A proposal or an amendment to a proposal requires a seconder and in the event of there being no seconder, the proposal will not be recorded in the Minutes unless the proposer request that this be done.
- viii. No more than one amendment to a proposal may be made and this may be made at any time before the vote on the substantive proposal is taken and the amendment shall be voted on first.
- ix. In respect of an amendment to a proposal the Chair has the discretion to determine that the amendment is not a valid amendment to the substantive proposal and shall not be voted on subject to a Resolution carried by a majority of the members present at the meeting that is a valid amendment and that the vote shall be taken.
- x. At any time during the proposal proceedings or the voting proceedings the Chair on the advice of the Clerk to the Council has the absolute discretion to determine that there has arisen a misunderstanding as to the substance of the proposal or an amendment to it sufficient to invalidate that proposal or the amendment to it and in this event the following shall apply:

- a) The Chair shall first determine whether the members present at the meeting require a second period of general debate pursuant to Standing Order V.1.iv and the resolution of this shall be by show of hands and carried by a majority of the members present.
  - b) Where such second period of general debate is required the proposal and the amendment to it if there is one shall both be invalid irrespective of which gave rise to the misunderstanding and a new proposal shall be allowed pursuant to Standing Order V.1.iv.
  - c) Where such period of general debate is not required, the Chair shall require the proposer for either or both the proposal and the amendment to it, as required, to clarify the terms that are to be voted on and shall resolve by show of hands carried by the majority of the members present that the vote may be taken;
  - d) Where, following the procedure of either b) or c) above there is a continuing misunderstanding as to the substance of a proposal or an amendment to it, the Chair shall require the proposal and the amendment to it if there is one to be reduced to writing and shall have the absolute discretion on the advice of the Clerk to the Council to defer the vote to the next meeting of the Council convened pursuant to Standing Order I.1.
- xi. Voting shall be by show of hands counted by the Clerk to the Council and will be taken as a 'for' vote, an 'against' vote and 'abstentions', and the record of votes in the Minutes will be the number of votes pertaining to each save that any member is entitled to require that their name be recorded so as to show how they voted.
  - xii. In the case of equality of voting the Chair shall give a second or casting vote except in the case of election of officer which shall be pursuant to Standing Order VI.
  - xiii. Those eligible to vote are the elected members of the Council except for any member who has declared an interest.
  - xiv. The Chair may defer the consideration and voting for any proposal and its amendments to a later meeting of the Council subject to a Resolutions carried by a majority of members that the voting shall take place at the present meeting.

### **V.3. Public Participation:**

- i. The agenda for a meeting pursuant to Standing Order I.1.i. shall have the item Public Participation as part of the business set out in that agenda.
- ii. The Clerk to the Council in consultation with the Chair of the Council is permitted to add the item Public Participation to a meeting pursuant to Standing Orders I.1.ii., or I.2i. or I.2.ii where an issue of concern to the

parishioners of the Parishes of Codsall, Oaken and Codsall Wood causes it to be appropriate to do so.

- iii. Public Participation shall be a maximum of fifteen minutes unless a Resolution to extend this period by a specified amount of time is carried by a majority of the members of the council present at the meeting.
- iv. For the period of Public Participation, including any extension of the period, the Council shall not pass any Resolution and matters arising shall be deferred for proper consideration at another time.
- v. A parishioner of the Parishes of Codsall, Oaken and Codsall Wood may, with the permission of the Chair of the Council, address the Council on any matter of Council business and a member of the Council may, with the permission of the Chair, reply to or add further information on the matter.
- vi. A member of the public who is not a parishioner of the Parishes of Codsall, Oaken and Codsall Wood may be permitted to address the Council with the permission of the majority of the members of the Council present.
- vii. The Chair of the Council on the advice of the Clerk to the Council shall determine whether a matter raised by any member of the public is a matter of concern to the Council and for the resolution of any doubt in this respect shall abide by the majority view of the members of the Council present.
- viii. If no persons attend for the commencement of Public Participation, the Chair of the Council shall continue with the business as set out on the agenda for the meeting and if after so doing a parishioner arrives before the expiry of fifteen minutes, the Chair shall provide a reasonable period of time not exceeding ten minutes before moving to further business on the agenda.

#### **V.4. Participation of the public other than during Public Participation**

- i. The County Councillor shall be permitted to address the Council during the business set out in the agenda as County Councillor's Report, and at any other time at the discretion of the Chair of the Council.
- ii. The representatives for the Police Constabulary shall be permitted to address the Council during the business set out in the agenda as Police Report, and at any other time at the discretion of the Chair of the Council.
- iii. Representatives for any other organisation, body, or society shall be permitted to address the Council during the discussion of business set out in the agenda for which they have been invited to attend by the Clerk to the Council, and at any other time at the discretion of the Chair of the Council.



## **VI. ELECTION OF OFFICERS OF THE COUNCIL**

### **VI.1 The Officers:**

- i. The officers of the Council shall be the Chair of the Council and the Vice Chair of the Council and they shall take office at the Annual General Meeting of the Council and in the manner hereinafter prescribed.

### **VI.2. The taking of office of the Chair of the Council:**

- i. The office of Chair of the Council shall be taken by the present Vice Chair except where that member has notified the Clerk to the Council of an intention not to take office pursuant to Standing Order VI.2.i. or where the Clerk has received a motion pursuant to Standing Order VI.2.ii.
- ii. A Vice Chair who does not intend to take office as Chair of the Council shall notify the Clerk to the Council of this in writing by no later than one month before the date of the Annual General Meeting unless there are exceptional and unexpected circumstances for withdrawal occurring after this notification period.
- iii. A motion that an election for the office of Chair be held at the Annual General Meeting may be made and shall be in writing and signed by the proposer and seconded by as many members as constitute a quorum and shall be received by the Clerk to the Council by no later than one month before the date of the Annual General Meeting unless there are exceptional and unexpected circumstances that call for the motion to be made after this notification period.
- iv. Where no notification has been received by the Clerk to the Council pursuant to Standing Orders VI.2.ii. or VI.2.iii. the Chair shall ask the present Vice Chair to take the chair before the ballot for the election of the new Vice Chair is held.
- v. Where a valid motion for an election of Chair has been received the election shall be held before the election of Vice Chair and shall be conducted pursuant to Standing Order VI.3.

### **VI.3. The election of Vice Chair of the Council and the election of Chair of the Council is such election is to be held:**

- i. The election or elections shall be by ballot and shall be the poll of those elected members present at the Annual General meeting of the Council.
- ii. The voting paper for each election shall list the names of all members of the Council and shall clearly indicate upon it whether it be the voting paper for the office of 'Chair' or for the office of 'Vice Chair'.
- iii. At the start of each election the Chair shall invite nominations for the office and when satisfied that all nominations have been received and that all

members know who the nominees are, shall invite all members present to mark on the appropriate voting paper a cross against the name of one nominee.

- iv. The voting papers shall be collected by the Clerk to the Council and a count of all papers shall be made to verify that the Clerk has received them all for counting.
- v. The Clerk to the Council shall count the voting papers and shall have the absolute discretion to discount any paper, which appears on the face of it to be equivocal or spoilt. All members of the Council present are entitled to watch the count.
- vi. The Clerk to the Council shall nominate two members of the Council to check the voting papers to ensure that they have been correctly counted and if a discrepancy is found a new count shall be conducted pursuant to Standing Order VI.3.v. and this Order and this procedure shall continue until such time as there is a conforming count.
- vii. If there have been three or more nominees in the election then at the conclusion of the ballot the nominee who has polled the least number of votes shall withdraw and a further ballot pursuant to Standing Orders VI.3.iii. through to vi. shall take place for those nominees remaining and this procedure shall be repeated until the number of candidates for election is two and the election shall then be determined by a simple majority.
- viii. If in any ballot held there is an equality of voting the Presiding Chair shall exercise a second or casting vote.

## **VII. STANDING COMMITTEES**

### **VII.1 Appointment**

- i. The Standing Committees shall be appointed at the Annual General Meeting of the Council. The Council shall appoint the Standing Committees hereinafter prescribed and may appoint other Standing Committees as required.
- ii. The Council shall have the power to appoint a new Standing Committee at a meeting pursuant to Standing Order I.1.i. where the need for such an appointment arises.
- iii. No Standing Committee shall have the power to bind the Council
- iv. No Standing Committee shall have the power to incur expenditure.

**IX. STANDING ORDERS**

- i. Standing Orders shall be reviewed at the Annual General Meeting of the Council when the recommendations for amendment presented by the Review of Standing Orders committee pursuant to Standing Order VII.6. shall be resolved.
- ii. A motion to amend Standing Orders other than at the Annual General Meeting of the Council shall be accompanied by a draft in writing of the proposed amendment and shall not be the subject of any Resolution by the Council until the meeting next following that at which the amendment is moved or later if the Council resolve to defer the matter for reference to the Review of Standing Orders Committee.
- iii. Where standing orders are changed by new legislation the relevant order will be deemed to be modified from the date on which statute is embodied into law.

**X. ORDERS FOR THE PAYMENT OF MONEY**

- i. Orders for the payment of money shall be signed by two members and the Financial Responsible Officer or three members and subject to Standing Order XI shall be ratified by the Council at a meeting held pursuant to Standing Order I.1.i.

**XI. POWERS OF THE CLERK AND THE VICE CHAIRMAN**

- i. The Clerk to the Council shall have delegated power to act on behalf of the Council.
- ii. The Clerk to the Council shall have the power to incur expenditure of up to but not exceeding £1,000.00 in an emergency without authorisation of the Council but shall endeavour to first contact the Chair or the Vice Chair.
- iii. Nothing herein shall be in derogation of s.15(9) Local Government Act 1972 and in the absence of the Chair of the Council the Vice Chair shall exercise all of the powers of the Chair set out herein.