

INSTOW PARISH COUNCIL

STANDING ORDERS

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Instow Parish Council Standing Orders 2023

MEETINGS OF THE COUNCIL

1. The purpose of meetings of Instow Parish Council is to exercise the powers and obligations of the Council conferred on it by relevant legislation in the best interests of Instow parishioners.
2. Meetings of the Council will be held at the Parish Hall, Instow, or such other place as may from time to time be determined by the Council.
3. The Annual Meeting of the Council shall be held on the third Thursday in May at 7.30 pm.
4. In addition to the Annual Meeting of the Council, and any extraordinary meetings convened in accordance with Standing Order 5, meetings for the transaction of general business (ordinary meetings) will be held at 7.30 pm on the third Thursday of each month except August (when there will be no meeting) and December when it will normally take place on the second Thursday of the month.
5. Extraordinary meetings of the Council may be called by the Clerk at the request of the Chairman of the Council or at the written request of any two councillors. The business conducted at an extraordinary meeting shall be restricted to the item(s) specified in the request for the extraordinary meeting and there shall be no consideration of any other business.
6. 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 of the Council which shall give reasons for the public's exclusion.
7. Notice of each meeting including the time, place and agenda shall be given to councillors and to the public a minimum of three clear days before the meeting.
8. When a meeting of the Council has been continued until 9.30 in the evening and its business remains unfinished any unfinished business shall be postponed until the next ordinary meeting unless a majority of members present and voting shall determine to continue the meeting or adjourn it to some other specified day.

COUNCILLORS

9. In these Standing Orders, the term "members" refers to councillors.
10. A councillor's main job is to participate in the collective decision-making processes of the Council by:
 - (a) attending Council meetings
 - (b) raising matters for the Council to consider and formally decide about at meetings
 - (c) making informed contributions which influence debates on the business that needs to be decided at those meetings
 - (d) voting on resolutions at those meetings without bias after giving careful consideration to the arguments put forward in the debates.
11. A councillor who wishes to put forward a matter for consideration or to propose a motion at a meeting should notify the Clerk at least five clear days before the meeting. If the wording or subject of a proposed motion is considered improper, the Clerk will consult the chairman of the meeting to consider whether the resolution will be included in the agenda or rejected, and the Clerk's decision shall be final.
12. All members must observe Instow Parish Council's Members' Code of Conduct whenever they are engaged in the Council's business or the business of an office to which they have been elected or appointed by the Council, or are acting as a representative of the Council. A copy of the Council's Members' Code of Conduct is provided to all Councillors on appointment. A copy is also available on the Parish Council website.
13. A member who has a personal interest in a matter to be considered at a meeting shall declare that interest but may then take part in debate and vote on that matter.

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14. Unless he/she has been granted a dispensation, a member shall withdraw from a meeting when it is considering a matter in which he/she has a disclosable pecuniary interest and may not vote on that matter. He/she may return to the meeting after it has considered the matter in which he/she has the interest.
15. (a) The Clerk will retain a copy of each member's "Register of Financial and Other Interest" forms, which are included in the Council's Publication Scheme.

(b) The Clerk will record in the minutes of each meeting particulars of any notice given by any member or any officer of the Council of any interest in a matter that forms part of the business of the meeting.
16. Communications to and between members, including summonses to meetings, agenda and Council documents, may be made by email. To ensure confidentiality, each member is required to have an email facility protected by a password known only to the member. Documents that are to be considered at a meeting and which are circulated to all members by email at least three days before the meeting may be "treated as read" at the meeting.
17. Councillors may hold informal meetings from time to time, in particular to discuss procedural issues. There is no obligation for these informal meetings to be held in public. However, decisions cannot be taken at such meetings that commit the Council to any action or that involve the expenditure of public money. It is for the participants to decide among themselves whether the proceedings of such meetings are to be kept confidential.

CHAIRMAN OF MEETING

18. Meetings will be chaired by the Chairman of the Council or, in his/her absence, by the Vice-Chairman. If neither is present the Councillors shall choose one of their number to preside at the meeting. The person presiding may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.

PROPER OFFICER AND RESPONSIBLE FINANCIAL OFFICER

19. The Clerk holds the positions of Proper Officer and Responsible Financial Officer, and is responsible for undertaking the statutory obligations of these offices.

QUORUM

20. At all meetings of the Council, three members shall constitute a quorum.
21. If a meeting is or becomes inquorate no business may be transacted and the meeting will be closed. The business on the agenda not transacted at that meeting will be adjourned to the next ordinary meeting or to a meeting held on such other day as the Chairman may determine.

VOTING

22. Members will vote by show of hands, or, if at least two members so request, by signed ballot.
23. If a member so requires, the Clerk will record the names of the members who voted on any matter so as to show whether they voted for or against it.
24. In the event that voting on any matter is not unanimous, the matter shall be decided by a majority of the members present and voting.
25. 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 a casting vote.
26. (a) Exceptionally, in relation to the election of the Chairman of the Council, the Chairman may not give an original vote except in a year of elections to the Council when he/she has been re-elected as a councillor. He/she may then vote for himself/herself.

(c) In any case of an equality of votes, the Chairman must use a casting vote to break any deadlock in the appointment of the Chairman, when he/she may then vote for himself/herself.

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27. Phrases in the minutes of a meeting such as “It was resolved that ...” or “A decision was taken that ...” or “The Council agreed that ...” shall be taken to mean that a matter was decided by voting.

ORDER OF BUSINESS

28. At each Annual Meeting the first business shall be:

- (a) To elect a Chairman
- (b) To receive the Chairman's declaration of acceptance of office or, if not then received, to decide when it shall be received
- (c) To elect a Vice-Chairman
- (d) To appoint statutory or standing committees
- (e) To inspect any deeds and trust instruments in the custody of the Council,

and shall thereafter follow the order set in Standing Order 30.

29. At every meeting other than the Annual Meeting the first business shall be to appoint a Chairman, if the Chairman and Vice-Chairman are absent, and to receive such declarations of acceptance of office (if any) as are required by law to be made, or if not then received to decide when they shall be received.

30. Except at extraordinary meetings, after the first business has been completed, the order of the business, unless the Council otherwise decides on the grounds of urgency, shall be as follows:

- (a) To hear a police report, if the community constable/PCSO is present, or receive a written report if provided.
- (b) (i) To hear questions and representations from parishioners relating to the Council's business. The Chairman and/or Clerk may answer questions from parishioners or may note the questions so that they may be answered later in the meeting or at a later date. This business shall not continue more than 15 minutes, unless a majority of members present and voting shall determine otherwise. Speaking time will be limited to one minute per parishioner, subject to the Chairman's discretion.
(ii) Members of the public who are not parishioners may then speak at the discretion of the Chairman (after providing their name, address and reason to speak) providing there is time within the 15 minutes allowed for this business.
- (c) To hear a report from the County Councillor representative, if present, or receive a written report if provided, providing that this business shall not continue more than ten minutes, unless a majority of members present and voting shall determine otherwise.
- (d) To hear a report from the District Councillor representative, if present, or receive a written report if provided, providing that this business shall not continue more than ten minutes, unless a majority of members present and voting shall determine otherwise.
- (e) To read and consider the minutes of the previous meeting; 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. No discussion shall take place upon the minutes except upon their accuracy. Corrections to the minutes shall be made by resolution and must be initialled by the Chairman.
- (f) After consideration to approve the signature of the minutes by the presiding Chairman as a correct record.
- (g) To consider matters arising from the minutes of the previous meeting
- (h) To complete business, if any, remaining from the previous meeting.
- (i) To review the tracker, being a list of outstanding matters raised at previous meetings, and to take decisions on any of the matters listed.
- (j) To deal with business expressly required by statute to be done.

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- (k) To receive such communications as the presiding Chairman may wish to lay before the Council.
- (l) To answer questions in accordance with the Standing Orders under the heading Questions.
- (m) To receive and consider reports and minutes of committees and advisory working groups.
- (n) To receive and consider reports from officers of the Council.
- (o) To authorise the sealing of documents.
- (p) To authorise payments.
- (q) To consider motions or recommendations in the order in which they have been notified.
- (r) To consider planning applications and other communications received from the local planning authority
- (s) Any other business specified in the summons.

31. A motion to vary the order of business on the grounds 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.

MOTIONS REQUIRING NOTICE

- 32. The agenda of a meeting that accompanies the notice of the meeting constitutes notice of any motion that is included in the agenda.
- 33. Every such motion shall be relevant to a matter over which the Council has power to act or which affects the parish or its residents.
- 34. No decision may be made at a meeting on a motion not on the agenda unless such motion does not require notice.

MOTIONS NOT REQUIRING NOTICE

35. Motions dealing with the following matters may be moved without notice:

- (a) To appoint a chairman of the meeting.
- (b) To correct an inaccuracy in the draft minutes of a meeting.
- (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 or working group or to require a written report.
- (h) To appoint a committee or working group or any member thereof.
- (i) To adopt a report.
- (j) To move to a vote.
- (k) To amend a motion (subject to the Standing Orders on Rules of Debate).

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- (l) To give leave to withdraw a motion or an amendment.
- (m) To extend the time limit for speeches.
- (n) To consider otherwise than in committee a question affecting an employee.
- (o) To exclude the public and the press from a meeting in respect of confidential or sensitive information or to exclude a member of the public who interrupts the proceedings (subject to the Standing Orders on the Admission of the Public and the Press to Meetings).
- (p) To silence or exclude from the meeting a member named for unacceptable conduct (subject to the Standing Orders on Unacceptable Conduct).
- (q) To suspend a particular Standing Order (unless it reflects mandatory statutory requirements).
- (r) To give consent of the Council where such consent is required by the Standing Orders.
- (s) To temporarily suspend, to adjourn or to close a meeting.

QUESTIONS

- 36. A member may ask the Chairman any question concerning the business of the Council.
- 37. A member with or without notice may ask the Chairman of a committee any question upon the proceedings of the committee then before the Council providing the question is put to the Council before consideration of those proceedings is finished.
- 38. Every question shall be put and answered without discussion.
- 39. A person to whom a question has been put may decline to answer.

RULES OF DEBATE

- 40. (a) A motion or amendment shall not be discussed unless it has been proposed and seconded, and unless proper notice has been given. It shall, if required by the Chairman, be reduced to writing and handed to him/her before it is further discussed or put to the meeting.
- (b) A member when seconding a motion or amendment may, if he then declares his intention to do so, reserve his/her 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 shall exceed five minutes, except by consent of the Council.
- (e) An amendment shall be either:
 - (i) To leave out words or
 - (ii) To leave out words and insert or add others or
 - (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 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) The mover of a motion or of an amendment shall have a right to reply.

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- (j) A member, other than the mover of a motion, shall not, without leave of the Council, speak more than once on any motion except to move an amendment, or to an amendment, or on a point of order, or in personal explanation, or to move the closure.
- (k) 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/her, which may have been misunderstood. A member rising for these purposes shall be heard forthwith.
- (l) A motion or amendment may be withdrawn by the proposer with the unanimous 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.
- (m) When a motion is under debate no other motion shall be moved except the following:
- (i) To amend the motion.
 - (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 do leave the meeting.
 - (vii) That the resolution be referred to a committee.
 - (viii) To exclude the public or press or both.
 - (ix) To adjourn the meeting.
41. (a) The ruling of the Chairman on a point of order or on the admissibility of a 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 to resume their seats.
- (d) Whenever the Chairman rises during a debate all other members shall be seated and silent.
- (e) Third parties may only speak with the permission of the Council.
42. 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 and if the Chairman is of the opinion that the question before the Council has been sufficiently debated (but not otherwise) he shall forthwith put the motion. If the motion "that the question be now put" is carried, he shall call upon the mover to exercise or waive the 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.
43. The mover of a motion shall have a right to reply immediately before the motion 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.
44. A member may, with the consent of his seconder, move amendments to his own resolution.

REVERSAL OF PREVIOUS RESOLUTION

45. (a) A decision (whether affirmative or negative) of the Council shall not be reversed within six months save by special resolution, the written notice whereof bears the names of at least six members of the Council.
- (b) When a special resolution has been disposed of no similar resolution may be moved within a further six months.
- (c) This Standing Order shall not apply to resolutions moved in pursuance of the report or recommendation of a committee.

VOTING ON APPOINTMENTS

46. 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 a clear 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

47. 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 decided whether or not the public should be excluded.

MINUTES OF MEETINGS

48. Minutes shall be prepared by the Clerk of all meetings of the Council and its committees. Such minutes are not intended to be a verbatim record of what is said at the meeting but they will include a brief report on each item on the agenda and shall record:
- (i) the names of members present and those not present
 - (ii) the chairman of the meeting
 - (ii) members' declarations of interest and whether members with interests left and returned to the meeting
 - (iii) appointments made
 - (iv) all resolutions passed and decisions made
 - (vi) reports and recommendations of committees and working groups presented to the meeting
 - (vii) expenditure authorised
 - (viii) documents authorised for sealing
 - (ix) contracts authorised for signature
 - (x) recommendations made to the planning authority
 - (xi) decisions of the planning authority

UNACCEPTABLE CONDUCT BY MEMBERS

49. (a) It shall be considered unacceptable conduct for a member to wilfully obstruct business at a meeting, to persistently disregard rulings of the Chairman, or to behave improperly, offensively or maliciously, or in such a manner as to bring the Council into disrepute.
- (b) If, in the opinion of the Chairman, a member has acted in an unacceptable way the Chairman shall express that opinion to the Council and thereafter any member may move that 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.
- (c) If either of the motions mentioned in sub-paragraph (b) is disobeyed, the Chairman may suspend the meeting or take such further steps as may reasonably be necessary to enforce them.
- (d) If, in the opinion of the Chairman, a member has persistently breached these Standing Orders or the Members' Code of Conduct the Chairman shall express that opinion to the Council and thereafter any member may move that the District Council's monitoring officer be notified with a view to taking disciplinary action against the member.

EXPENDITURE

50. The Council shall hold one or more bank accounts and may, by resolution of the Council, hold a debit card. Records of all bank transactions shall be kept by the Clerk and such records shall be made available to councillors at all reasonable times on request.
51. Orders for the payment of money shall be authorised by resolution of the Council and effected by two members except that, when authorised by the Council, payments may be made by debit card by the Clerk .

SEALING OF DOCUMENTS

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52. (a) A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution.
- (b) Any two members of the Council may seal, on behalf of the Council, any document required by law to be issued under seal.

ACCOUNTS AND FINANCIAL STATEMENTS

53. (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, such payment shall be certified as to its correctness and urgency by the appropriate officer. Unless it has been authorised by the Council, payment shall be authorised by 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 authorised under sub-paragraph (b) of this Standing Order or made without authority of the Council shall be separately included in the next schedule of payments laid before the Council.
54. The Clerk shall supply to each member at the ordinary meeting next after the end of each six months in a Financial Year a statement of receipts and payments during the six months and cumulatively.

COMMITTEES

55. The Council may at the Annual Meeting appoint standing committees and may at any other time appoint such committees as are necessary but, subject to any statutory provision in that regard:
- (a) shall not appoint any member 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 or working group.
- The Chairman and Vice-Chairman shall be members of every committee.
56. The duties, responsibilities and powers of each committee (which may include delegated responsibility to take decisions on behalf of the Council) shall be recorded in writing and approved by the Council. Meetings of committees must be advertised and are open to the public.
57. The Chairman of a committee or the Chairman of the Council may summon a special meeting of that committee at any time. A special meeting may 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.
58. Except where ordered by the Council in the case of a committee, the quorum of a committee shall be one half of its members. The Council may appoint members as Chairman and Vice-Chairman of any committee or working group but, failing this, every committee and working group shall at its first meeting before proceeding to any other business elect a Chairman and may elect a Vice-Chairman who shall hold office until the next Annual Meeting of the Council.
59. 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 members of committees and working groups insofar as they are appropriate.
60. Members of committees shall vote by show of hands.
61. Chairmen of committees shall have a second or casting vote.
62. A member who has proposed a motion that has been referred to any committee of which he/she is not a member may explain his motion to the committee but shall not vote.

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63. Any Council member shall, unless the Council otherwise orders, be entitled to be present as a spectator at the meetings of any committee of which he is not a member and to speak if authorised by the Chairman.

WORKING GROUPS

64. The Council may also appoint working groups, the purpose of such groups being to investigate matters of concern to the Council, to explore options and to present reports to the Council. Working groups may make recommendations to the Council but cannot make decisions on behalf of the Council. Working groups are not subject to the strict rules that apply to Council meetings and their meetings do not have to be held in public.

ANNUAL PARISH MEETING

65. An Annual Parish Meeting will be held on a Thursday between 1st March and 1st June. The meeting may be called by the Chairman of the Parish Council or by any two Parish Councillors or by any six electors of the Parish. Public notice of the meeting will be given at least seven clear days beforehand. The Chairman of the Parish Council will preside at the Parish Meeting or, in his/her absence, the Vice-Chairman will preside. If neither is present the Parish Meeting must appoint a person to preside at that meeting.
66. If any parishioner has any pecuniary interest, direct or indirect, in any contract, proposed contract or any other matter discussed at the Parish Meeting he/she shall not take part in that discussion.
67. Only those on the electoral role of the Parish may vote at the Parish Meeting.

INSPECTION OF DOCUMENTS

68. 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.
69. (a) All minutes kept by the Council and any committee shall be open for the inspection of any member of the Council.
- (b) The minutes of the Council shall be open to inspection by any local government elector of the parish without charge.

UNAUTHORISED ACTIVITIES

70. No members of the Council 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

unless authorised to do so by the Council or the relevant committee.

ADMISSION OF THE PUBLIC AND THE PRESS TO MEETINGS

71. The public and the press shall be admitted to all meetings of the full Council which may, however, temporarily exclude the public or the press or both 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 and press be temporarily excluded and they are instructed to withdraw."

72. PUBLIC PARTICIPATION AT PARISH COUNCIL MEETINGS:

Meetings of the Parish Council are not public meetings but members of the public have a statutory right to attend meetings of the council as observers. They have no legal right to speak unless the Parish Council Chairman authorises them to do so. However, as part of its community engagement, Parish Councils can set out a time for public participation at an agreed time when members of the public are invited to speak. Members of the public should not be involved in the decision-making of the Council. The Council should not make any instant decisions at the behest of members of the public on items that are not included in the agenda. As a matter of best practice the public forum will be kept separate from the debate of the councillors. If matters raised are not on the agenda

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for the meeting these can be used to form part of the agenda for a future meeting at the discretion of the Council. Members of the public are welcome to stay for the Council meeting after the public session as observers, but will not be able to join in the discussion.

Members of the public may be excluded by a resolution of the meeting for specific items which need to be discussed in confidence (e.g. staffing matters, tenders for contracts, some legal issues).

RULES FOR THE PUBLIC SESSION:

- The Public session will be limited to 15 minutes and the time for each member of the public to speak is limited to 1 minute.
- The Chairman has the right to say that any question or statement is inappropriate and will not be accepted.
- Neither Councillors nor the Clerk should be put under pressure to respond immediately to comments made under public participation. Members of the public do not have a right to force items onto the council agenda nor to insist on how matters are recorded in the minutes.
- A question raised by a member of the public during a public speaking session shall not require a response and there should be no debate or discussion between the Council and the public.
- If the issue is on the agenda then it will be discussed under the appropriate item. Members of the public are therefore requested to leave their contact details with the Clerk before leaving the Council meeting if they wish to receive a reply to their query.
- **Please note that offensive or threatening behaviour will not be tolerated. If a member of the public interrupts the proceedings of any meeting the Council reserves the right to curtail the contribution of that person and exclude a disorderly person.**
- All person's present will act respectfully towards every other person present and will not act in a manner that demeans, insults, threatens or intimidates him or her. All statements, questions and responses, challenges to statements, complaints or criticisms must be made politely.
- All statements, questions and responses must be related to the facts of the matter and not be personal in nature. There should be no reference to personal views on any person.
- If more than one member of the public wishes to speak on the same topic then they should nominate one person to speak on their behalf. This will avoid duplication and make the best use of the public participation period.
- Written statements must be received by the Clerk at least 3 days prior to the meeting.

REPORTING ON MEETINGS

73. The Clerk shall afford to the press reasonable facilities for reporting the proceedings of any meeting at which they are entitled to be present.
74. A person present at a meeting of the Parish Council or its committees may not report orally or comment about the meeting as it takes place but is otherwise permitted to report on the meeting and such reporting may include:
 - (a) filming, photographing or making an audio recording of the meeting,
 - (b) using any other means to enable persons not present to see or hear proceedings at the meeting as it takes place or later,
 - (c) reporting or commenting on the proceedings in writing during or after the meeting or orally reporting or commenting after the meeting.
75. Reporting or recording shall not be permitted during any part of any meeting when the public and press have been temporarily excluded.

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76. The Council has adopted North Devon Council's protocol on recording/filming at Council meetings, which is incorporated in the following rules (the word recording includes both audio and visual recording):
- (a) Anyone wishing to record at a meeting should inform the Chairman or the Clerk before recording commences. The recording must be clearly visible to everyone at the meeting and must not disrupt proceedings.
 - (b) The Chairman of the meeting has absolute discretion to stop or suspend recording if, in his/her opinion, continuing to do so would prejudice proceedings or if the person recording is in breach of these rules.
 - (c) During any period when the public and press have been excluded from the meeting anyone recording should leave the room ensuring that all equipment has been turned off.
 - (d) Any member of the public has the right not to be recorded. Anyone not wishing to be recorded must advise the Chairman at the earliest opportunity.
 - (e) When reports or recordings are released to the public, this shall be done in such a way as to put the matter reported in context and to present a balanced account of comments and arguments made at the meeting. A recording should not be edited in a way that could lead to misinterpretation or misrepresentation of the proceedings or that ridicules or shows a lack of respect for those in the recording.

MAKING INFORMATION AVAILABLE TO THE PUBLIC

77. In accordance with the requirements of the Freedom of Information Act 2000 (FOIA) the Council has established a publication scheme on its website (www.InstowParish.com) to provide information about the Council. This information appears under the following headings:
- (a) Councillors, Council officers and their roles
 - (b) Council meetings
 - (c) Policies, procedures and regulations
 - (d) Financial information
 - (e) Plans, reports and recommendations
 - (f) The Council's services

78. The FOIA entitles members of the public to have access to "information held by public authorities", although there are exceptions. The procedure for obtaining information held by the Parish Council is to request this from the Clerk, who will check whether there are valid reasons why the information should not be released and, if not, will provide the information. Individual councillors are not entitled to release Council information to the public or to discuss Council matters with parishioners or other members of the public unless these matters have already been made public.
79. In most cases letters, emails and other communications between councillors do not constitute information held by the Parish Council and are not covered by the FOIA. In accordance with the usual convention, such communications may only be passed on to another person with the permission of the originator of the communication. Exceptions arise when communications relate to tasks that the councillor has been asked by the Council to perform or when the councillor is acting on behalf of the Council, for example in executive or administrative functions. The provisions of the FOIA then apply.

CONFIDENTIAL INFORMATION AND CONFIDENTIAL BUSINESS

80. Information held by the Council with a view to its publication at some future date is exempt from the provisions of the FOIA. This may be taken to include draft documents (in particular drafts of reports, minutes, accounts, proposals and contracts), which shall remain confidential until such time as they are presented for approval at a meeting of the Council or a committee. However, if the Council so decides, a draft of the minutes of a meeting of the Council or a committee, after being approved by the chairman of the meeting concerned and clearly identified as a draft, may be published before being approved by the Council or committee in order to provide timely information

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to parishioners.

81. No member of the Council or any committee shall disclose to any person not a member of the Council any document or other information relating to the business of the Council that is deemed to be confidential by these Standing Orders.
82. Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.

LIAISON WITH COUNTY AND DISTRICT COUNCILLORS

83. A notice of meeting shall be sent together with an invitation to attend to the County Councillor for the Division and to the District Councillor for the ward.
84. Unless the Council orders otherwise, a copy of each letter ordered to be sent to the County or District Council shall be transmitted to the County Councillor for the Division or to the District Councillor for the ward as the case may require.

PLANNING APPLICATIONS

85. (a) The local planning authority is North Devon Council (NDC). A record is to be kept by the Clerk of every planning application notified by NDC to the Council, to include:
 - (i) The name of the applicant
 - (ii) The place to which it relates
 - (iii) A summary of the nature of the application.
 - (iv) The date of receipt
- (b) The Clerk shall circulate each planning application to a planning working group comprising the Chairman, the Vice-Chairman and two other members within seven days of receiving it. The working group will review the application and recommend to the Council that a response be made to the NDC Planning Department either:
 - (i) recommending approval of the application, or
 - (ii) recommending that the application be rejected, or
 - (iii) recommending that the application be approved only on certain stated conditions.
- (c) When the Council's views have to be transmitted to NDC before the next regular meeting of the Council, if the working group concludes that there are objections to the application, either the Clerk will be asked to apply for an extension of time or, if the Chairman or a majority of the Council so decides, an extraordinary meeting of the Council will be called for the purpose of considering the planning application.
- (d) The recommendation of the Council and the decision of the planning authority will be recorded in the minutes of the next Council meeting.

CONTRACTS - LEASE OF BEACH MOORINGS AND INVITATION FOR TENDERS FOR BEACH CLEANING AND OTHER CONTRACTED WORKS

86. (a) At a time to be determined by the Council, the Clerk shall give at least three weeks' notice of the intention to lease the beach moorings and to invite tenders. These notices shall be displayed in the same manner as public notices of meetings of the Council and in such newspapers as the Council shall direct.
- (b) The notice shall state the general nature of the intended contract and shall in addition state the name and address of the person to whom tenders are to be addressed and the last date by which those tenders should reach that person in the ordinary course of post.
- (c) If no tenders are received or if all the tenders are identical or if there is a need for works to be arranged at short notice the Council may make such arrangements for procuring the goods or materials or executing the works as it thinks fit.

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87. **SUSPENSION, VARIATION AND REVIEW OF STANDING ORDERS**

88. 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.
89. 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 require that written notice be given to the Clerk at least five clear days before the meeting at which it is to be proposed.
90. The Standing Orders should be reviewed in the second year of each Council's four-year term of office. The date of the review should be noted on the Standing Orders.

STANDING ORDERS TO BE GIVEN TO MEMBERS

91. A copy of these Standing Orders shall be given to each member by the Clerk upon delivery to him/her of the member's declaration of acceptance of office.

Signed: - MJ Scott

(Chairman)

Dated: - 15th June 2023

Signed: - E Edwards

(Clerk)

Dated: - 15th June 2023

Date of next Review: - June 2024