



## **FAIR OAK & HORTON HEATH PARISH COUNCIL**

📍 2 Knowle Park Lane, Fair Oak, Eastleigh, SO50 7GL

☎ (023) 8069 2403 ✉ [enquiries@fairoak-pc.gov.uk](mailto:enquiries@fairoak-pc.gov.uk)

🌐 [www.fairoak-pc.gov.uk](http://www.fairoak-pc.gov.uk) 📘 @fairoakandhortonheathparishcouncil

# **CONSTITUTION**

## **CHAPTER 2**

# **STANDING ORDERS**

Adopted  
Review

May 2023  
May 2024

# Meetings

## Ordinary Council Meeting

1. **Meetings of the Council shall be held in each year on such dates and times and at such place as the Council may direct but shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**
2. **A minimum three clear days' notice must be given but must not include the day on which the notice was issued, the day of the meeting, a Sunday, a day of the Christmas or Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
3. **In addition to the Annual Meeting at least three other meetings shall be held in each year.**
4. **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 with reasons stated and recorded.**
5. In every year, not later than the meeting at which the estimates for next year are settled, the Council shall review the pay and conditions of service of existing employees. Standing Order 65(d) must be read in conjunction with their requirement.

### **Order of business**

6. **At every meeting other than the Annual Council Meeting the first business shall be to appoint a Chair, if the Chair and Vice-Chair be 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.**
7. After the first business has been completed, the order of business, unless the Council otherwise decides on the ground of urgency, shall, if necessary, include the following:
  - a) **To deal with business expressly required by statute to be done.**
  - b) **Confirm the accuracy of the minutes of the last meeting of the council and approve the signature of the minutes by the person presiding as a correct record.**
  - c) To answer questions from Members.
  - d) To receive and consider reports and minutes of committees.
  - e) To receive and consider resolutions or recommendations in the order in which they have been notified.
  - f) To authorise the sealing of documents.
  - g) If necessary, to authorise the signing of orders for payment.

## Annual Council Meeting

8. In an election year the Annual Council Meeting shall be held on or within 14 days following the day on which the Members are elected and/or take office
9. In a year which is not an election year, meetings shall be held on such day in May as the Council may direct.
10. If no other time is fixed, the annual meeting of the Council shall take place at 6pm.
11. The Chair or Vice Chair of the Council, unless he/she/they has resigned or becomes disqualified, shall continue in office, and preside at the annual meeting until his/her/their successor is elected at the next annual meeting of the Council.
12. In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, he/she/they shall preside at the annual meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but shall give a casting vote in the case of an equality of votes.
13. In an election year, if the current Chair of the Council has been re-elected as a member of the Council, he/she/they shall preside at the annual meeting until a new Chair of the Council has been elected. He/she/they may exercise an original vote in respect of the election of the new Chair of the Council and shall give a casting vote in the case of an equality of votes.
14. The Council may at its Annual Meeting appoint standing committees and may at any other time appoint such other committees as are necessary clearly defining roles of the committees and any delegated powers, but subject to any statutory provision on that behalf:
  - a) Shall not appoint any member of a committee so as to hold office later than the next Annual Meeting
  - b) May appoint persons other than members of the Council to any Committee.**
  - c) May, subject to the provisions of Standing Order 77, at any time dissolve or alter the membership of the committee.

### **Order of business**

15. At each Annual Council Meeting the first business shall be:
  - a) **To elect a Chair & Vice Chair of the Council**
  - b) In an election year to receive the Parish Council Chair's and Members Declaration of Acceptance of Office and written undertakings to comply with the Code of Conduct (Chapter 2 of the Council's Constitution) adopted by the Council which have not been received as provided by law**

**shall be received.**

**c) In the ordinary year of election of the Council to advertise any vacancies left unfilled at the election by reason of insufficient nominations.**

d) To appoint committees and sub-committees. and shall thereafter refer to Standing Order 72.

16. After the first business has been completed, the order of business, unless the Council otherwise decides on the ground of urgency, shall, if necessary, include the following:

**a) To deal with business expressly required by statute to be done.**

**b) Confirm the accuracy of the minutes of the last meeting of the council and approve the signature of the minutes by the person presiding as a correct record.**

**c) To adopt the following documents as in accordance with the Council's Constitution:**

i. **Standing Orders**

ii. **Member Code of Conduct**

iii. Member and Officer Relations Protocol

iv. Any other governance documents as required.

d) To answer questions from Members.

e) To receive and consider reports and minutes of committees.

f) To receive and consider resolutions or recommendations in the order in which they have been notified.

g) To authorise the sealing of documents.

h) If necessary, to authorise the signing of orders for payment.

## Draft Minutes

17. If the draft minutes of a preceding meeting have been served on Members with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.

18. There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with Standing Order 50(e)

19. The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the Chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.

20. If the Chair of the meeting does not consider the minutes to be an accurate record of

the meeting to which they relate, they shall sign the minutes and include a paragraph in the following terms or to the same effect:

*“The Chair of their meeting does not believe that the minutes of the meeting of the ( ) held on [date] in respect of ( ) were a correct record but their view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”*

21. Following the preparation of draft minutes, the Parish Clerk shall issue them to the relevant Chair for comment prior to publication in draft form on the council's website.

## Special Meeting

22. **The Chair of a committee or the Parish Council Chair 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.**
23. **If the Chair of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two councillors.**

## Chair of the Meeting

24. **The person presiding at a meeting may exercise all the powers and duties of the Parish Council Chair in relation to the conduct of the meeting.**
25. **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair of the Council may in his/her/their absence be done by, to or before the Vice-Chair of the Council (if there is one).**
26. **The Chair of the Council, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair of the Council (if there is one) if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**
27. The Parish Council Chair shall be members of every committee; for the sake of clarity, this is to allow them voting rights at all committees either or both may attend.
28. The decision of the chair of a meeting as to the application of standing orders at the meeting shall be final.

## Proper Officer

29. Where a statute, regulation or order confers function or duties on the proper officer of the Council in the following cases, they shall be the Parish Clerk or nominated officer:

The Proper officer shall;

- a) To receive declarations of acceptance of office.
- b) To receive and record notices disclosing pecuniary and non-pecuniary interests.
- c) To receive and retain plans and documents.
- d) To sign notices or other documents on behalf of the Council.
- e) To receive copies of byelaws made by the Borough Council.**
- f) To certify copies of byelaws made by the Council.
- g) To serve a signed summons to attend meetings of the Council & provide public notice.**
- h) To keep proper records for all Council meetings & facilitate public inspection.**
- i) Should the Responsible Finance Officer be absent for whatever reason the clerk shall enact the Council's adopted RFO protocol.
- j) Deal with all staff related matters as per Delegated Authority as set out in the Delegation of Powers to officers.

## Quorum of the Council

- 30. **No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.**
- 31. If a quorum is not present or if during a meeting the number of Members present falls below the required quorum (the quorum does not include those temporarily debarred by virtue of a pecuniary interest), the meeting shall be adjourned, and business not transacted shall be transacted at the next meeting or on such other day as the Parish Council Chair may fix.

## Voting

- 32. Members shall vote by show of hands or, if at least two members so request, by signed ballot.
- 33. **If a member so requires, the Parish Clerk shall record the names of the members who voted on any question so as to show whether they voted for or against it. Such a request may be made before the vote but in any event before moving onto the next business.**
- 34. **Subject to (a) and (b) below the Parish Council Chair may give an original vote on any matter put to the vote, and in any case of an equality of votes may give a casting vote whether or not they gave an original vote.**
  - 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 Parish Council Chair and Vice-Chair, Parish Council Chair, until the end of their term of office, they may not give an original vote in an election for Parish Council Chair.**

- b) The person presiding must give a casting vote whenever there is an equality of votes in an election for Parish Council Chair.**

## Adjournment

35. After each ninety-minute period the Chair shall normally adjourn the meeting for a five-minute recess to afford those present a comfort break.

## Urgent Business

36. The Chair may, at their discretion, alter the order of business as specified on the agenda. In addition, a motion to vary the order of business on the grounds of urgency may be proposed by any member and after being seconded shall be put to the vote without discussion.

## Resolutions Moved On Notice

37. 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 Parish Clerk; or
38. The mover has given notice in writing (notice of motion) of its terms and has delivered the notice to the Parish Clerk at least 6 working days prior to the next meeting of the Council.
39. The Parish 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 they intend to move at some later meeting or that they withdraw it.
40. The Parish Clerk may, before including a motion on the agenda correct obvious grammatical or typographical errors in the wording of the motion. If the Parish Clerk considers the wording of a motion received is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing so that it can be understood at least 6 clear days before the meeting.
41. If the wording or subject of a proposed motion is considered improper, the Parish Clerk shall consult with the Chair of the forthcoming meeting, or as the case may be, the Members who have convened the meeting to consider whether the motions shall be included in the agenda or rejected.
42. 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.
43. 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 Chair, if they consider it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.

44. Every resolution or recommendation shall be relevant to some subject over which the Council has power or duties which affects its area.

## Resolutions Moved Without Notice

45. Resolutions dealing with the following matters may be moved without notice:
- a) To appoint a Chair 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 appoint a committee or any members thereof
  - i) To adopt a report
  - j) To authorise the sealing of documents
  - k) To amend a motion
  - l) To give leave to withdraw a resolution or amendment
  - m) To extend the time limit for speeches
  - n) To exclude the public. (Standing Order 107)
  - o) To silence or eject from the meeting a member or a member of the public for disorderly conduct (Standing Order 55)
  - p) To give the consent of the Council where such consent is required by these Standing Orders.
  - q) To suspend any Standing Order. (Standing Order 128)
  - r) To adjourn the meeting.

## Questions

46. A member may ask the Parish Council Chair or the Parish Clerk any question concerning the business of the Council. The Parish Council Chair or Parish Clerk may respond



immediately or within an agreed timescale.

47. No questions not connected with business under discussion shall be asked except during the part of the meeting set aside for questions.
48. Every question shall be put and answered without discussion.
49. A person to whom a question has been put may decline to answer.

## Rules of Debate

50.
  - 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 Parish Council Chair, be reduced to writing and handed to them before it is further discussed or put to the meeting.
  - b) A member when seconding a resolution or amendment may, if they then declare their intention to do so, reserve their speech until a later period of the debate.
  - c) A member shall direct their 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 resolution shall exceed 5 minutes and no other speech shall exceed 5 minutes except by consent of the Council.
  - e) An amendment shall be either to:
    - i. leave out words.
    - ii. leave out words and insert others
    - iii. insert or add words.
  - f) An amendment shall not have to effect of negating the resolution before the Council.
  - g) If an amendment be carried, the resolution, as amended, shall take the place of the original resolution and shall become the resolution 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 resolution or of an amendment shall have a right of reply, not exceeding 5 minutes.
  - j) A member may make a point of order or a personal explanation. A member stating verbally 'point of order' or 'personal explanation' shall be heard forthwith. A personal explanation shall be confined to some material part of a former speech by them which may have been misunderstood.

- 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 do leave the meeting.
  - vii. That the resolution be referred to a committee.
  - viii. To exclude the public and press.
  - ix. To adjourn the meeting.

51.

- a) The ruling of the Parish Council Chair on a point of order or on the admissibility of a personal explanation shall not be discussed.
- b) Members shall address the Parish Council Chair.
- c) If two or more members wish to speak, the Parish Council Chair shall call upon one of them to speak first, the others shall be called in turn.
- d) Whenever the Parish Council Chair invites a Member to speak during a debate all other members shall be seated and silent.

## Closure

52. 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 Parish Council Chair/Chair shall put the motion but, in the case of a motion “that the question be now put”, only if they are of the opinion that the question before the Council has been sufficiently debated.

If the motion “that the question be now put” is carried, they shall call upon the mover to exercise or waive their 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

53. **All members must behave in a manner required by the Council's adopted Code of Conduct (Chapter 2 of the Council's Constitution).**
54. No member shall at a meeting persistently disregard the ruling of the Chair, wilfully obstruct business, or behave irregularly, offensively, improperly or **in such a manner as to bring the Council into disrepute. If a member reasonably believes another member is in breach of the code of conduct, that member is under a duty to report the breach in line with the code of conduct.**
55. If, in the opinion of the Chair, a member has broken the provisions of Standing Orders 53 or 54, the Chair shall express that opinion to the meeting 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 forth with and without discussion.
56. If either of the motions mentioned in paragraph 55 is disobeyed, the Chair may suspend the meeting or take such further steps as may reasonably be necessary to enforce them.

## Right of Reply

57. 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 a new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

## Alteration of Resolution

58. A member may, with the consent of the seconder; move amendments to their own resolution.

## Rescission of Previous Resolution

59. 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 5 members of the Council, or by a resolution moved in pursuance of the report or recommendation of a committee.
60. When a special resolution or any other resolution moved under the provisions of Standing Order 63 has been disposed of, no similar resolution may be moved within a further six months.

## Voting On Appointments

61. 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. A tie in votes may be settled by the casting vote exercisable by the chair of the meeting.

## Discussions and Resolutions Affecting Employees of the Council

62. 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 shall be excluded. (Standing Order 107)

## Resolutions on Expenditure

63. Any resolution (which is moved otherwise than in pursuance of a recommendation of the Finance Committee or of another committee after recommendation by the Finance Committee) and which, if carried, would, in the opinion of the Chair substantially increase the expenditure upon any service which is under the management of the Council or reduce the revenue at the disposal of any committee, or which would involve capital expenditure, shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council, and any committee affected by it shall consider whether it desires to report thereon (and the Finance Committee shall report on the financial aspect of the matters).

## Inquorate Meetings

64. If a meeting is inquorate and a decision must be made prior to the next scheduled meeting consideration must be given to calling an additional meeting. If:
- (a) It is not possible to hold a quorate meeting within the required timescale; AND
  - (b) a decision will incur costs of less than £3,000 within a budget line OR less than £1000 within an overall budget; AND
  - (c) a decision does not require a risk assessment as set out in Financial Regulations
- the Parish Clerk shall have delegated authority to make any necessary decisions having taken soundings from members. Such action shall be reported back to the next scheduled committee meeting and/or Council meeting.

## Handling Confidential or Sensitive Information

- 65.
- (a) The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.**
  - (b) The Council shall have in place, and keep under review, policies for the**

**retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g., the Limitation Act 1980).**

**(c) The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.**

(d) Members and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.

## Expenditure

- 66. All payments by the Council shall be authorised, approved, and paid in accordance with the law, proper practices, and the Council's Financial Regulations (Chapter 3 of the Council's Constitution).
- 67. Payments shall not be made prior to authorisation either by Council, the Finance Committee or in accordance with delegated authority to the Parish Clerk as set out in Financial Regulations.
- 68. All payments authorised by the Finance Committee shall be presented to the next ordinary meeting of the Council for noting.
- 69. All payments authorised by the Parish Clerk shall be detailed in the schedules of payments presented to the next Council or Finance Committee and annotated to indicate that they have been made.

## Sealing of Documents

- 70. A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution.
- 71. **Subject to standing order 70, any two councillors may sign on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.**

## Committees and Sub Committees

- 72. The Chair and Vice-Chair of Committees will be elected by the Full Council at its Annual Meeting.

## Reporting to Council

- 73. The minutes of committee meetings shall be presented to the next practicable meeting of the Council where members may ask the Chair of the Committee to report further on the proceedings of the same.

## Sub-Committees

74. **Every committee may appoint sub-committees/Task & Finish Groups for purposes to be specified by the committee.**
75. The Chair or Vice-Chair of the committee shall be a member of every sub-committee appointed by it unless they signify that they do not wish to serve.
76. The Standing Orders on rules of debate and the Standing Order on interests of members in contracts and other matters shall apply to committee and sub-committee meetings.
77. Without prejudice to the powers of committees under Standing Order 74, the Council may direct a committee whether in its terms of reference or otherwise to establish a sub- committee for the purposes specified by the Council. For the avoidance of doubt, the power of the Council under their standing order to direct a committee to establish a sub-committee also applies to the establishment of Working Parties or Groups by committees.

## Advisory Committees

78. The Council may create advisory committees, whose name, and number of members and the bodies to be invited to nominate members shall be specified.
79. The Clerk shall inform the members of each advisory committee of the terms of reference of the committee.
80. An advisory committee may make recommendations and give notice thereof to the Council.
81. **An advisory committee may consist wholly of persons who are not members of the Council.**

## Voting in Committees

82. Members of committees and sub-committees entitled to vote (see relevant terms of reference) shall by show of hands, or, if at least two members so request, by signed ballot.
83. **Chair 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

84. A member who has proposed a resolution which has been referred to any committee of which they are not a member, may explain the resolution to the committee but shall not vote. Except as otherwise provided by the Terms of Reference of a committee, any member of the council may attend any committee or sub-committee of the council of which they are not a member.
85. A member attending under their standing order may speak, but not vote. A

resolution passed under Standing Order 107 excluding the press and public from a meeting shall not apply to a member attending under their standing order.

## Terms of Reference of Committees and Working Groups

86. Unless the Council at any time determines to the contrary, the Committees of the Council to be appointed in each year shall be the
- Finance & Staffing Committee
  - Assets Committee
  - Communications & Events Task & Finish Group
  - Budget Task & Finish Group
  - Climate Change Task & Finish Group
87. These committees shall have the matters referred to them, the delegated powers and be constituted in the manner described in the Terms of Reference contained in Appendix 1 to these Standing Orders.
88. All working groups established by the Council, or a committee shall have a term of reference in the format as prescribed by Appendix 1.

## Accounts and Financial Statement

89. The Responsible Financial Officer shall supply to each member at the ordinary meeting next after the end of the Financial Year a Financial statement of receipts and payments for the Council.

## Annual Budget and Precept Setting Process

90. The council shall approve written estimates or calculated precept for the coming financial year no later than February meeting of Full Council.
91. Any committee desiring to incur expenditure shall give the Clerk a written estimate of the expenditure recommended for the coming year no later than the end of October, for presentation to the Budget Task and Finish Group who will recommend to the Finance Committee.

## Code of Conduct and Dispensations

92. **As per section 27(2) of The Localism Act 2011 all Members with voting rights shall observe the code of conduct adopted by the Council.**
93. **A member who has declared a pecuniary or prejudicial interest may not participate in any discussion on the matter at the meeting or in any vote taken on the matter at the meeting and is required to leave the room where the meeting is taking place during the discussion and vote.**

A member may attend the meeting and make representations, answer questions or give evidence provided that the public is also allowed to attend the meeting for the same purpose, and you leave the meeting immediately after having done so.

94. **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
95. A decision as to whether to grant a dispensation shall be made by the Proper Officer in consultation with the Chair of the Council or, failing that, the Committee Chair and that decision is final. A dispensation request shall confirm:
- i. The description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates.
  - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote.
  - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
  - iv. an explanation as to why the dispensation is sought.
96. Subject to Standing Orders 97 and 98, dispensations requests shall be considered by the Proper Officer in consultation with the Chair of the Council or, failing that, the Committee Chair before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required.
97. **A dispensation may be granted in accordance with Standing Order 94 if having regard to all relevant circumstances the following applies:**
- (a) without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business or**
  - (b) granting the dispensation is in the interests of persons living in the council's area or**
  - (c) it is otherwise appropriate to grant a dispensation.**
98. **At the Annual Council Meeting at the beginning of a new four-year term of office, the Clerk will grant dispensation to all councillors residing with the parish enabling them to cast their vote on the precept.**
99. **The Parish Clerk shall hold a copy of the Register of Member's Interests in accordance with instructions received from the Monitoring Officer of the Responsible Authority and/or as required by statute. The registers of Member's Interests will also be published on the Council website.**
100. If a candidate for any appointment under the Council is to their knowledge related to any member of or the holder of any office under the Council, they and the person to whom they are related shall disclose the relationship in writing to the Parish Clerk.

A candidate who fails so to do shall be disqualified for such appointment, and, if appointed, may be dismissed without notice. The Parish Clerk shall report to the Council



or to the appropriate committee any such disclosure. Where a relationship to a member is disclosed, this Standing Order shall apply.

## Canvassing of and Recommendations by Members

101. Canvassing of members of the Council or of any committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Parish Clerk shall make known the purpose of this sub-paragraph of the Standing Orders to every candidate.
102. A member of the Council or of any committee shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but, nevertheless, any such member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
103. Standing Orders 104 & 105 shall apply to tenders if the person making a tender was a candidate for an appointment.

## Inspection of Documents

104. A member may for the purpose of their 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.
105. **All minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council and** any local government elector of the Parish without charge.

## Unauthorised Activities

106. 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

107. **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 resolutions:

*"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".*

108. **The Council shall state the special reason for exclusion.**

109. **At all meetings the Chair may at their 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.**
110. All Council meetings shall permit an opportunity for time to be allocated to allow members of the public to make statements and ask questions.
111. **The Parish Clerk shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present.<sup>1</sup>**
112. **The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**
113. If a member of the public interrupts the proceedings at any meeting, the Chair may, after warning, order that they be removed from the meeting.

## Confidential Business

114. 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.
115. Any member in breach of the provisions of Standing Orders 114, shall be removed from any committee or sub-committee of the Council.

## Information Provision & Data Protection

116. Requests for information held by the Council shall be handled in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000 and the Data Protection Act 1998.
117. **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**
118. **Correspondence from, and notices served by the Information Commissioner shall be referred by the Proper Officer to the Chair of the Finance & Staffing Committee and the Parish Council Chair. The said committee shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000.**

## Liaison with Borough/County Members

119. At the start of every committee year, Borough/County Members will be sent a notice of meeting dates for all Council & Committee meetings with a link to the Council's website

---

<sup>1</sup> [To report means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.]

to view agendas and minutes.

## Planning and Licensing Applications

120. The Council's Admin Officer, in consultation with the Deputy Clerk, shall refer every planning application received via email to all members of the Council for comment, and having taken soundings from members, shall respond to any planning application received for consultation except for controversial/large-scale applications (5 or more dwellings) which shall automatically be referred to the Full Council for consideration.
121. All comments made on behalf of the Council under its delegated powers above shall be published on the Council's website and submitted to the next full Council meeting for noting only.
122. Any member of the council may require the Clerk to refer any planning or licensing application to the council rather than express an opinion on behalf of the Council under its delegated powers.

## Contracts

123. Every contract shall comply with the financial regulations, and no exceptions shall be made other than in an emergency provided that these regulations shall not apply to contracts which relate to items (a) to (f) below:
  - a) for the supply of gas, electricity, water, sewerage, and telephone services;
  - b) for specialist services such as are provided by solicitors, accountants, surveyors, and planning consultants;
  - c) for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant;
  - d) for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Council;
  - e) for additional audit work of the external Auditor up to an estimated value of £250 (in excess of their sum the RFO shall act after consultation with the Parish Council Chair and Vice-Chair of Council);
  - f) for goods or materials proposed to be purchased which are proprietary articles and/or are only sold at a fixed price.

## Code of Conduct Complaints

124. **Upon notification by Eastleigh Borough Council that it is dealing with a complaint that a Member or non-Member with voting rights has breached the parish council's code of conduct, the Proper Officer shall report to the parish council.**
125. Where the notification in Standing Order 124 above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Parish Council Chair of their fact, and

the Parish Council Chair shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the council has agreed what action, if any, to take in accordance with standing order 126.

126. The Council may:

- a) provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
- b) seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter.

127. **Upon notification by Eastleigh Borough Council that a Member or non-Member with voting rights has breached the council's Code of Conduct, the Council shall consider what, if any, action to take against them. Such action excludes disqualification or suspension from office.**

## Variation, Revocation and Suspension of Standing Orders

128. 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.

129. 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.

## Standing Orders to be given to Members

130. A copy of these Standing Orders shall be given to each member by the Parish Clerk upon delivery to them of the member's declaration of acceptance of office and written undertaking to comply with the Code of Conduct adopted by the Council and at other times when the Standing Orders are amended.

131. These standing orders and in particular the Terms of Reference of Committees shall be reviewed annually.

# APPENDIX 1: Terms of Reference(s)

## **Assets Committee**

The Committee has delegated authority to deal with the following matters to conclusion: -

1. Administration, maintenance and use of Fair Oak & Horton Heath Parish Council (FOPC) existing facilities and assets:
  - All public open spaces;
  - All FOPC properties including Parish Office, Community Centres & Sports buildings; library and café (when complete)
  - Children's play areas and skate parks;
  - Parks;
  - Community Orchard;
  - Cemetery;
  - Allotments;
  - Footpaths & public rights of way
  - Implement of play areas and other project enhancements within approved budgets;
  - Vehicles and street furniture.
  - Public Art
2. Setting terms and conditions of use and provision of relevant equipment for areas under its control.
3. Liaison with community organisations which have an interest in recreational facilities in FOPC's control.
4. Responsible for all communications, marketing & promotions of facilities and assets.
5. Working with statutory partners, key stakeholders and community groups to support them in providing services in the community.
6. To maintain existing FOPC bus shelters and street furniture.
7. To purchase new street furniture within approved budgets.
8. To consider all youth matters including the partnership agreement with Eastleigh Borough Council and Bishopstoke Parish Council in relation to the Y-Zone.
9. To receive recommendations put forward by the Communications & Events Task & Finish Group.

10. To set up and disband Task & Finish Groups as and when necessary and agree their terms of reference.
11. To consider recommendations put forward by Task & Finish Groups reporting to the Committee.
12. To deal with consultations which time prevents being presented to Full Council.
13. To consider matters relating to the organisation of community events.
14. Consider requests by residents/community organisation regarding use of assets.
15. To consider annual health & safety, inspections and risk assessments.
16. To agree all income and expenditure relating to their Committee within approved budgets.
17. Any other matter deemed to be the responsibility of their committee or at the request of the full council.

### **Referred Business**

To consider and make recommendations to Full Council on the following matters: -

1. Prepare budget estimates for the Finance Committee
2. To consider proposals for the transfer of Public Open Space and other community assets from Eastleigh Borough Council and make recommendation to the Full Council.
3. Provision of additional recreational facilities
4. Upgrading/improvements of FOPC facilities
5. For unbudgeted items, recommend expenditure relating to all assets and facilities.

### **Finance & Staffing Committee**

The Committee has delegated authority to deal with the following matters to conclusion: -

1. Allocation of grants and donations within the agreed criteria and budget.
2. To agree Service Level Agreements with external agencies and to deal with any resulting issues arising under the terms of the Service Level Agreements/Agreements.
3. All financial and accounting matters.
4. Undertake an annual review of the Council's assets register.
5. Complete Annual Financial Risk Management.
6. Staffing, administration and governance matters.
7. Leases and licences.
8. To set up and disband Task & Finish Groups as and when necessary and agree their terms of reference.

9. To consider recommendations put forward by Task & Finish Groups reporting to the Committee.
10. Annual review of fees and charges of FOPC facilities and properties.
11. To review the FOPC insurance policy document premium charge.
12. To annually review the Council's Investment Policy.
13. To review the Community Investment Programme and make recommendations to Full Council on the use of Section 106 monies received by the Parish Council.
14. To consider any fundraising projects.
15. To support the Clerk in the appointment and management of staff, with at least one nominated council member to participate in recruitment for senior officers.
16. To support the Clerk in the appointment and management of consultants
17. To agree terms and conditions of employment for all staff.
18. To consider any staffing matters including staffing structure, levels of pay & Clerk appraisal.
19. To consider all other personnel and administration matters not dealt by other Committees and make recommendations to Full Council where appropriate.
20. Any other matter deemed to be the responsibility of their committee or at the request of the full council.
21. Start grievances and appeals as per the Employee Handbook

### **Referred Business**

To consider and make recommendations to Full Council on the following matters: -

1. Prepare annual budget and precept request
2. Monitor income and expenditure within the budget estimates approved by FOPC and make necessary recommendations.
3. To make recommendations on use of reserves.
4. To consider expenditure proposed by the Asset Management Committee
5. To consider all reports from the Internal & External Auditors
6. To consider all aspects of financial administration of FOPC business (such as banking arrangements and investments) and make recommendations to Full Council.

## **Communication & Events Task & Finish Group**

The Communication & Events Task and Finish Group has delegated authority to deal with the following matters to conclusion: -

1. Organise public events on behalf of the Parish Council.
2. Consider the promotion and communication matters for the parish including the Newsletter, website and social media.
3. Liaise with local community organisations and statutory partners in the organisation of key parish events including the annual carnival and remembrance Sunday.
4. Consider nominations for the annual Chair's Citizen/Community Group Award.
5. Formulate & submit proposals to the Finance Committee in respect of income and expenditure relating to community matters, events and communications.
6. Any other matter deemed to be the responsibility of their task and finish group or at the request of the full council.

## **Budget Task & Finish Group**

The Task & Finish Group deals with the following matters and reports to the Finance Committee on the following;

- To perform the scrutiny role in setting the Council's budget each financial year;
- To report risks that, in the view of the Task and Finish Group, may hinder the Council in achieving its objectives.
- To report any suggestions for efficiencies or savings for consideration; and
- To highlight any priority projects that should remain in the budget.

## **Climate Change Task & Finish Group**

The Climate Change Task & Finish Group is tasked with the following.

- To investigate and progress ways in which the Council can reduce its carbon footprint by pursuing the identified actions of the Climate Change Action Plan and;
- To provide information and opportunities to join in with council-led activities to those residents wanting to embrace the circular economy, improve habitats for pollinators, increase biodiversity and how they can reduce their energy and water bills and reduce their carbon footprint.
- Seek ways in which the Council can work with Eastleigh Borough Council in developing the One Horton Development and Strategic Options Site to ensure suitable sustainable energy, transport and environmental policies are considered during the master planning process.



# Task & Finish Group Terms of Reference

[insert name] Task & Finish Group

## Terms of Reference

1. The Group will consist of [insert no.] Members, determined by the [insert committee name or Council] and the [officer] in an advisory capacity. Membership to be determined by the parent body. The group may invite members of the public to attend meetings in an advisory capacity on an ad-hoc usually temporary basis.
2. At its first meeting the group members shall:
  - a. Review these terms of reference / complete the skeleton Terms of Reference for approval as appropriate.
  - b. Appoint an elected member as Lead Member who should ensure the entire group's members are kept informed and involved with progress and act as the primary reporting channel back to the parent body.
3. In line with the task set by the [Council / committee], the purpose and remit of the group is to :
  - a. [insert remit]
  - b. [insert remit]
  - c. [insert remit]
4. The group does not have delegated powers to make decisions on behalf of the [insert committee if applicable] or the Parish Council nor should exceed its purpose and remit (above) without the parent body's sanction to a change to their Terms of Reference
5. The group reports to the [committee/council]
6. The group shall provide timely reports to the parent body in the following manner:
  - a. [insert manner of reports]
7. Meetings of the working group are not usually but may be a public meeting.