

Kibworth Joint Burial Committee

Standing Orders

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NOTE: Item 1 (h) (admission of public and press to meetings) updated in accordance with The Openness of Local Government Bodies Regulations 2014 which came into force as of 6 August 2014.

Meetings

- a. When calculating the 3 clear days for notice of a meeting to councillors and the public, the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning shall not count.
- b. Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.
- c. Subject to standing order 1(b) above, members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included in the agenda.
- d. Each member of the public is entitled to speak once only in respect of business itemised on the agenda and shall not speak for more than 5 minutes. The total period of time for the public participation shall not exceed 20 minutes.
- e. In accordance with standing order 1(c) above, a question asked by a member of the public during a public participation session at a meeting shall not require a response or debate and the Chair may direct that a response to a question posed by a member of the public be referred to a councillor for an oral response or to an employee for a written or oral response.
- f. A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- g. Any person speaking at a meeting shall address his comments to the Chair. If more than one person wishes to speak, the Chair shall direct the order of speaking.
- h. The public and the press shall be admitted to all meetings of the Committee which may. However, temporarily exclude the public and the press by means of the following resolution: 'that in view of the [special] [confidential] nature of the business about to be transacted, it is advisable and in the public interest that the public and the press be temporarily excluded and are therefore requested to withdraw.'
- i. In accordance with standing order 1(b) above, the press shall be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.
- j. Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair may in their absence be done by, to or before the Vice-Chair.

- k. The Chair, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair, 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.
 - l. Subject to model standing order 1 (m) below, all questions at a meeting shall be decided by a majority of the councillors present and voting thereon.
 - m. The Chair may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote.
 - n. Unless standing orders provide otherwise, voting on any question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his vote for or against that question.
 - o. The minutes of a meeting shall record the names of councillors present and absent.
 - p. If prior to a meeting, a councillor has submitted apologies for more than 3 consecutive meetings then reasons for absence would need to be approved by resolution.
 - q. The code of conduct adopted by the Committee shall apply to councillors in respect of the entire meeting.
 - r. An interest arising from the code of conduct adopted by the Committee, the existence and nature of which is required to be disclosed by a councillor at a meeting shall be recorded in the minutes.
 - s. Three members, including at least one representative from each Parish Councils, shall constitute a quorum at meetings of the Committee.
 - t. If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be adjourned. Any outstanding business of a meeting so adjourned shall be transacted at a following meeting.
2. Ordinary Committee meetings
- a. Meetings of the Committee shall be held in each year on such dates and times and at such place as the Committee may decide.
 - b. The Chair may summon an additional meeting of the Committee at any time. An additional meeting shall also be called if a written request of not less than a quarter of the members of the Committee is given to the Clerk. The agenda shall

set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.

- c. The election of the Chair and Vice-Chair of the Committee shall be the first business completed at the first Committee meeting following the annual meeting of the Parish Councils and they shall hold office until the first Committee meeting following the next annual meeting of the Parish Councils.
- d. Following the election of the Chair of the Committee and Vice-Chair of the Committee at the first meeting following the Parish Councils' annual meeting, the order of business shall be as follows.
 - i. Confirmation of the accuracy of the minutes of the last meeting of the Committee
 - ii. Review of the terms of reference.
 - iii. Review and adoption of appropriate standing orders and financial regulations.
 - iv. Review of inventory of land and assets including buildings and office equipment.
 - v. Setting the dates, times and place of ordinary meetings of the Committee for the year ahead.

3. Proper Officer

- a. The Committee's Proper Officer shall be the Clerk.
- b. The Committee's Proper Officer shall do the following.
 - i. Sign and deliver to councillors at their residences or by electronic means an agenda that includes the time, date and venue for the next meeting at least 3 clear days before the meeting. Each councillor to confirm receipt of the agenda.
 - ii. Provide a copy of the agenda to the Parish Council Clerks in order for them to give public notice of the time, date, venue and agenda at least 3 clear days before a meeting of the Committee (provided that the public notice with agenda of an extraordinary meeting of the Committee convened by councillors is signed by them).
 - iii. Retain a copy of every councillor's register of interests and any changes to it and keep copies of the same available for inspection.
 - iv. The Proper Officer has delegated powers to deal with urgent matters between meetings in consultation with the Chair or Vice-chair and any other member of the Committee as appropriate.

4. Motions

- a. Motions to suspend any standing order except those which are mandatory by law do not require written notice.

5. Code of conduct

- a. All councillors shall observe the code of conduct adopted by the Committee.
- b. If paragraph 12(2) of the code of conduct contained in the Local Authorities (Model Code of Conduct) Order 2007 (SI No.1159) has been adopted by the Committee or pursuant to relevant provisions in a statutory code of conduct in force at the time, councillors may exercise the rights contained in standing order 7(c) below only if members of the public are permitted to (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted.
- c. Councillors with a prejudicial interest in relation to any item of business being transacted at a meeting may (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted but must, thereafter, leave the room or chamber.

6. Minutes

- a. If a copy of the draft minutes of a preceding meeting has been circulated to councillors no later than 7 days prior to the date of issue of the agenda for the next scheduled meeting they shall be taken as read.
- b. No discussion of the draft minutes of a preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the minutes shall be raised.
- c. Minutes, including any amendment to correct their accuracy, 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.
- d. Upon a resolution, which confirms the accuracy of the minutes of a meeting, any previous draft minutes or recordings of the meeting shall be destroyed.
- e. A copy of the agreed minutes will be provided to the Parish Council Clerks and Kibworth Library.

7. Disorderly conduct

- a. No person shall obstruct the transaction of business at a meeting or behave offensively or improperly.
- b. If, in the opinion of the Chair, there has been a breach of standing order 7(a) above, the Chair shall express that opinion and thereafter any councillor (including the Chair) may move that the person be silenced or excluded from the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
- c. If a resolution made in accordance with standing order 7(b) above, is disobeyed, the Chair may take such further steps as may reasonably be necessary to enforce it and/or may adjourn the meeting.

8. Rescission of previous resolutions

- a. A resolution (whether affirmative or negative) of the Committee shall not be reversed within 6 months except either by a special motion, the written notice whereof bears the names of at least 2 councillors of the Committee, or by a motion moved in pursuance of the report or recommendation of a sub-committee.
- b. When a special motion or any other motion moved pursuant to standing order 8(a) above has been disposed of, no similar motion may be moved within a further 6 months.

9. Expenditure

- a. Any expenditure incurred by the Committee shall be in accordance with the Committee's financial regulations.
- b. The Committee's financial regulations shall be reviewed once a year.
- c. The Committee's financial regulations may make provision for the authorisation of the payment of money in exercise of any of the Committee's functions to be delegated to an employee.

10. Extraordinary meetings

- a. The Chair of the Committee may convene an extraordinary meeting of the Committee at any time.
- b. If the Chair of the Committee does not or refuses to call an extraordinary meeting within 7 days of having been requested by to do so by 2 councillors, those 2 councillors may convene an extraordinary meeting of the Committee. The

statutory public notice giving the time, venue and agenda for such a meeting must be signed by 2 councillors.

11. Accounts and Financial Statement

- a. All payments by the Committee shall be authorised, approved and paid in accordance with the Committee's financial regulations, which shall be reviewed at least annually.

12. Estimates/precepts

- a. The Committee shall approve written estimates for the coming financial year at its meeting before the end of September.

13. Inspection of documents

- a. Subject to standing orders to the contrary or in respect of matters that are confidential, a councillor may, for the purpose of his official duties (but not otherwise), inspect any document in the possession of the Committee, and request a copy for the same purpose. The minutes of meetings of the Committee shall be available for inspection by councillors.

14. Confidential business

- a. Councillors shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature.
- b. A councillor in breach of the provisions of standing order 14(a) above may be removed from the Committee by a resolution of the Committee.

15. Matters affecting Committee employees

- a. If a meeting considers any matter personal to a Committee employee, it shall not be considered until the Committee has decided whether or not the press and public shall be excluded pursuant to standing order 1(b) above.
- b. The Committee shall keep written records relating to employees secure. All paper records shall be secured under lock and electronic records shall be password protected.
- c. Records documenting reasons for an employee's absence due to ill health or details of a medical condition shall be made available only to those persons with responsibility for the same.

16. Freedom of Information Act 2000

- a. All requests for information held by the Committee shall be processed in accordance with the Committee's policy in respect of handling requests under the Freedom of Information Act 2000.

17. Relations with the press/media

- a. In respect to dealing with the press and/or other media, councillors and employees shall not, in their official capacity, provide oral or written statements or written articles to the press or other media without the agreement of the Chair.

18. Financial matters

- a. The Committee shall operate within the requirements of the approved Financial Regulations.

19. Allegations of breaches of the code of conduct

- a. On receipt of a notification that there has been an alleged breach of the code of conduct the Proper Officer shall refer it to the Chair or Vice-Chair who will follow the locally agreed procedure for resolution.

20. Variation, revocation and suspension of standing orders

- a. Any or every part of the standing orders, except those which are mandatory by law, may be suspended by resolution in relation to any specific item of business.
- b. A motion to permanently add to or to vary or to revoke one or more of the Committee's standing orders not mandatory by law shall not be carried unless two-thirds of the councillors at a meeting of the Committee vote in favour of the same.

21. Standing orders to be given to councillors

- a. The Proper Officer shall provide a copy of the Committee's standing orders to a councillor upon the commencement of his membership of the Committee.
- b. The Chair's decision as to the application of standing orders at meetings shall be final.

- c. A councillor's failure to observe standing orders more than 3 times in one meeting may result in him being excluded from the meeting in accordance with standing orders.

Appendix 1: Constitution

KIBWORTH JOINT BURIAL COMMITTEE

CONSTITUTION

1. Membership

Comprising seven in total; four representatives from Kibworth Beauchamp Parish Council and three from Kibworth Harcourt Parish Council.

Three members to constitute a quorum being one representative from each Parish Council.

Members to be appointed annually by the respective Councils at their Annual Parish Council Meetings. Chair and Vice-Chair to be elected annually at the first meeting, to be held following the two Annual Parish Council Meetings.

2. Financial Arrangements

The Committee will put forward proposals for running costs, maintenance and improvements to the Cemetery and any other capital expenditure for the agreement of the Parish Councils when requesting funding for the following financial year.

3. Clerk

Remuneration to be based on NJC salary point scale as agreed by the Kibworth Joint Burial Committee.

4. Insurance

Insurance cover is to be effected through the existing policy until renewal date when the current supplier should be reviewed.

Appendix 2: Terms of Reference

KIBWORTH JOINT BURIAL COMMITTEE

TERMS OF REFERENCE

- 1.** The Committee is empowered to manage and maintain the cemetery on behalf of both Parish Councils and is duty bound to maintain the burial ground and preserve the lychgate building.

- 2.** The Committee will put forward proposals for maintenance and improvements and any other capital expenditure for the agreement of both Parish Councils when requesting funding for the following financial year.

- 3.** If additional or alternative capital expenditure is deemed necessary or desirable this should be referred back to the Parish Councils for approval.

- 4.** The Kibworth Joint Burial Committee should regularly produce outline future plans for the short, medium and long term so that all Parish Councillors are aware of the overall direction proposed. These plans to be amended as necessary.

- 5.** The Committee is duty bound to maintain the burial ground and preserve the Lychgate.