



St Ives Town Council

Twinned with Stadtallendorf

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STANDING ORDERS

Standing orders for the organisation and transaction of Councils' business are decided by full Council. A committee or sub-committee may decide its own standing orders if its appointing body (which is the Council in the case of a committee or a committee in the case of a sub-committee) has not made standing orders which apply to them.

The model standing orders in **bold type** should not be ignored or substantively amended unless the legislation out of which they are born changes. If the Town Council wishes to slightly alter the wording of the model standing orders in bold type, any such amendments must not have the effect of undermining, overriding or conflicting with statutory requirements.

Model standing orders, not highlighted in bold type, do not incorporate statutory requirements. They are aimed at (i) highlighting matters that merit regulation by standing orders and (ii) encouraging use of standing orders to regulate routine administrative arrangements. They may be adapted in their current form but are more likely to require adapting or supplementing to suit a Council's particular needs. Once again, a Council is reminded not to adopt standing orders which undermine, override or conflict with any requirements imposed by legislation.

Index of model standing orders

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1. Meetings

- Mandatory for full Council meetings ●
- Mandatory for committee meetings ●
- Mandatory for sub-committee meetings ●

Note: Where appropriate the titles 'Chairman' and 'Vice Chairman' should be taken to mean 'Town Mayor' and 'Deputy Mayor'

- a **Meetings 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.**
- b Meetings of the Council shall be held on the second Wednesday of each month except for the month of August, at 8.00 pm, unless the Council otherwise decides.
- c The Council will robe for the Annual Meeting, Civic Sunday, and the Remembrance Sunday Service, the Opening of the Michaelmas Fair, full Council meetings and at other such times as required by the Town Mayor or by resolution of the Council.
In accordance with custom, the Town Mayor and Deputy Town Mayor will wear red robes and the other Councillors purple. The four Councillors who have served on the Council the longest aggregate time will be permitted to wear robes which in the past were traditionally worn by Alderman and for this purpose, service as a St Ives Town Councillors will count. When the situation arises whereby there are a number of Councillors with a similar length of service, then the former Aldermanic robes to be worn by the Councillor or Councillors in Mayoralty order; but the length of service or wearing of any robe will not signify or convey any implication of seniority, it being recognised that all Councillors, other than the Town Mayor and Deputy Town Mayor, are equal in all respects.
- d **The Annual Meeting shall, in a year of ordinary elections of Councillors to the Council, be held on the Wednesday next following the fourth day after the ordinary day of elections. In any other year it shall be held on the second Wednesday in May.**
- e A notice of the meeting shall be emailed to, left at or posted by first class mail to the residence of each Member three clear days before the date of the meeting.
- f **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.**
- g The Town Mayor may call a Meeting of the Council at any time.
- h If the Town Mayor refuses to call a meeting after a request for that purpose, signed by two Members has been presented to them, the two Members on that refusal, or on the expiration of seven days as the case may be, may forthwith call a Meeting of the Council.
- i **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. Public participation will be in strict accordance with the adopted 'Public Speaking at Council and Committee meetings' Policy.**
- j Subject to standing order 1(i) above, members of the public are permitted to make representations, answer questions and give evidence in respect of any matter coming under the jurisdiction of the Town Council.
- k The period of time which is designated for public participation in accordance with standing order 1(i) above shall not exceed 15 minutes.
- l Subject to standing order 1(k) above, 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 3 minutes.
- m In accordance with standing order 1(l) 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.
- n In accordance with standing order 1(l) above, the Town Mayor 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.

- O A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- p A person shall raise their hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort). The Town Mayor may at any time permit an individual to be seated when speaking.
- q Any person speaking at a meeting shall address their comments to the Chairman.
- r Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chairman shall direct the order of speaking.
- s **Subject to standing order 1(t), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To 'report' means to film, photograph, make an audio recording or the 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 take place or later to persons not present.** It would be helpful if those wishing to record could contact the Council before the meeting so that the necessary facilities are in place. The Town Mayor (or the Chairman of the meeting) will advise the public that the meeting is being recorded. A request to record a meeting shall only be refused if the Town Mayor believes recording would disrupt the meeting. The purpose of this standing order is to provide guidance for members of the press, or public, on the taking of photographs and/ or the audio / visual recording of any Council meeting which is held in public.
- There are no restrictions on anyone at a Council meeting using Twitter, blogs, Facebook or similar social media provided that the Town Mayor does not consider their actions are disrupting the proceedings of the meeting.
- T **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place with permission**
- u **In accordance with standing order 1(r) 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.**
 - v **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman may in their absence be done by, to or before the Vice-Chairman (if any). The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting. The Deputy Mayor shall deputise for the Mayor in the Mayor's absence.**
 - w **The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.**
 - x **Subject to standing order 1 (z) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.**
 - y **The Town Mayor may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise their casting vote whether or not they gave an original vote. (See also standing orders 2 (i) and (j) below.)**
 - z **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 their vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.**
 - aa **A Councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on their right to participate and vote on that matter.**

- bb The minutes of the meeting shall include an accurate record of the following:
 - i. the time and place of the meeting
 - ii. the names of councillors present and absent;
 - iii. interests that have been declared by councillors and non-councillors with voting rights
 - iv. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
 - v. if there was a public participation session; and
 - vi. resolutions made.
- cc **No business may be transacted at a meeting unless at least one third of the whole number of members entitled to take part are present and in no case shall the quorum of a meeting be less than 3. Six Members shall constitute a Quorum of the Town Council.**
- dd **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.
- ee Meetings shall not exceed a period of 2 hours unless a resolution for a half hour extension is proposed by the Town Mayor.

1 Ordinary Council meetings

See also standing order 1 above

- a **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the new Councillors elected take office.**
- b **In any other year it shall be held on the second Wednesday in May.**
- c **If no other time is fixed, the annual meeting of the Council shall take place at 6.00pm.**
- d **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held each year on such dates and times as the Council decides.**
- e Meetings of the Council shall be held on the second Wednesday of each month except for the month of August, at 8.00 pm, unless the Council otherwise decides.
- f **The election of the Town Mayor and Deputy Town Mayor of the Council shall be the first business completed at the annual meeting of the Council.**
- g **The Town Mayor, unless they have resigned or becomes disqualified, shall continue in office and preside at the annual meeting until their successor is elected at the next annual meeting of the Council.**
- h **The Deputy Town Mayor, unless they resign or becomes disqualified, shall hold office until immediately after the election of the Town Mayor at the next annual meeting of the Council.**
- i **In an election year, if the current Town Mayor has not been re-elected as a member of the Council, they shall preside at the meeting until a successor Town Mayor has been elected. The current Town Mayor shall not have an original vote in respect of the election of the new Town Mayor but must give a casting vote in the case of an equality of votes.**
- j **In an election year, if the current Town Mayor has been re-elected as a member of the Council, they shall preside at the meeting until a new Town Mayor has been elected. They may exercise an original vote in respect of the election of the new Town Mayor and must give a casting vote in the case of an equality of votes.**
- k Following the election of the Town Mayor and Deputy Town Mayor at the annual meeting of the Council, the order of business shall be as follows.
- l **In an election year, delivery by the Town Mayor and councillors of their declarations of acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Town Mayor of their acceptance of office form unless the Council resolves for this to be done at a later date;**
 - i. To receive any Declarations of Interest.
 - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council and to receive and note minutes of and/or to determine recommendations made by committees.
 - iii. Adjournment to following evening.
 - iv. Public Participation

- v. Review of delegation arrangements to committees, sub-committees, employees and other local authorities.
- vi. Review of the terms of references for committees.
- vii. Receipt of nominations to existing committees.
- viii. Appointment of any new committees, confirmation of the terms of reference, the number of members (including, if appropriate, substitute councillors) and receipt of nominations to them.
- ix. To receive and note Committee reports.
- x. Review and adoption of appropriate standing orders and financial regulations.
- xi. Review of arrangements, including any charters and legal agreements, with other local authorities, not-for-profit bodies and businesses and review of contributions made to expenditure incurred by other local authorities.
- xii. Review of representation on or work with external bodies and arrangements for reporting back.
- xiii. In an election year, to make arrangements with a view to the Council becoming eligible to exercise the general power of competence in the future
- xiv. Review of inventory of land and assets including buildings and office equipment.
- xv. Review and confirmation of arrangements for insurance cover in respect of all insured risks.
- xvi. Review of the Council's and/or employees' subscriptions to other bodies.
- xvii. Reviewing the Council's complaints procedure.
- xviii. Reviewing the Council's policies and procedures in respect of its obligations under the freedom of information and data protection legislation.
- xix. Reviewing the Council's policy for dealing with the press/media
- xx. Review of the Council's employment policies and procedures
- xxi. Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence
- xxii. Setting the dates, times and place of ordinary meetings of the full Council for the year ahead.

M At every meeting other than the Annual Council Meeting the first business shall be to appoint a person to preside if the Town Mayor and the Deputy Mayor may be absent, and to receive such declarations of acceptance of office (if any) and undertaking to observe the Council's code of conduct as required by law to be made or, if not then received, to decide when they shall be received. After the first business has been completed at meetings other than the Annual Meeting, the order of business, unless the Council decides otherwise on the ground of urgency, shall be as follows:

- (i) To receive and accept apologies
- (ii) To receive any declarations of interest
- (iii) Public Participation
- (iv) To approve and adopt the minutes as a correct record in accordance with Standing Order 11.**
- (v) To deal with business expressly required by the statute to be done before any other business.**
- (vi) To receive the Mayor's report
- (vii) To receive reports and minutes and consider recommendations of Committees
- (viii) To dispose of business, if any, remaining from the last meeting.
- (ix) To receive and agree the schedules of financial payments
- (x) To authorise the sealing of documents
- (xi) To consider motions in the order in which they have been notified.
- (xii) To consider any other matters specified in the summons
- (xiii) To receive correspondence for information
- (xiv) To receive reports from County and District Councillors on matters directly affecting St Ives
- (xv) To consider confidential and exempt matters.

- (xvi) To consider matters which the Mayor considers urgent and which have arisen too late to be specified in the Summons to the Council. These may be brought before the Council by the Mayor with the consent of the members of the Council present at the meeting. These matters must be submitted, in writing, to the Town Clerk by 12 noon on the day of the meeting.

2 Proper Officer

- a The Council's Proper Officer shall be either (i) the Clerk or such other employee as may be nominated by the Council from time to time or (ii) such other employee appointed by the Council to undertake the role of the Proper Officer during the Proper Officer's absence. The Proper Officer and the employee appointed to act as such during the Proper Officer's absence shall fulfil the duties assigned to the Proper Officer in standing orders.
- b The Council's Proper Officer shall do the following.
- i. **At least 3 clear days before a meeting of the council, a committee and a sub-committee, serve on councillors, by delivery or post at their residence or post or email authenticated in such manner as the Proper Officer thinks fit (provided the councillor has consented to service by email) a signed summons confirming the time, place and the agenda.**
 - ii. **Give public notice of the time, date, venue and agenda at least 3 clear days before a meeting of the Council or a meeting of a committee or a sub-committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**
 - iii. Subject to standing orders 5(a)–(h) below, include in the agenda all motions in the order received unless a councillor has given written notice at least 3 days before the meeting confirming their withdrawal of it.
 - iv. **Convene a meeting of full Council for the election of a new Town Mayor, occasioned by a casual vacancy in their office.**
 - v. **Make available for inspection the minutes of meetings.**
 - vi. **Receive and retain copies of byelaws made by other local authorities.**
 - vii. Receive and retain declarations of acceptance of office from councillors.
 - viii. Retain a copy of every councillor's register of interests and any changes to it and keep copies of the same available for inspection and publish them on the Council's website.
 - ix. Keep proper records required before and after meetings;
 - x. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
 - xi. Liaise as appropriate with the Council's Data Protection Officer;
 - xii. Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
 - xiii. assist in the organisation of. Storage of, access to, security of and description of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitations Act 1980);
 - xiv. Arrange for legal deeds to be signed by 2 councillors and witnessed
 - xv. Arrange for the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations.
 - xvi. Record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
 - xvii. Refer a planning application received by the Council to Chairman or in their absence Vice-Chairman (if any) of the Planning Committee within 2 working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Planning Committee.
 - xviii. Retain custody of the seal of the Council (if any) which shall not be used without a resolution to that effect.
 - xix. Action or undertake activity or responsibilities instructed by resolution or contained in

standing orders.

- xx. Manage access to information about the council via the publications scheme

3 Responsible Financial Officer

The council shall appoint appropriate staff member(s) to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

5 Motions requiring written notice

- a In accordance with standing order 3(b)(iii) above, no motion may be moved at a meeting unless it is included in the agenda and the mover has given written notice of its wording to the Council's Proper Officer by no later than 12 noon at least 7 clear days before the next meeting. Clear days do not include the day of the notice of the day of the meeting
- b The Proper Officer may, before including a motion in the agenda received in accordance with standing order 5(a) above, correct obvious grammatical or typographical errors in the wording of the motion.
- c If the Proper Officer considers the wording of a motion received in accordance with standing order 5(a) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer in clear and certain language at least 5 clear days before the meeting.
- d If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Chairman of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to consider whether the motion shall be included or rejected in the agenda.
- e Having consulted the Chairman or councillors pursuant to standing order 5(d) above, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.
- f Notice of every motion received in accordance with the Council's standing orders shall be numbered in the order received and shall be entered in a book, which shall be open to inspection by all councillors.
- g Every motion rejected in accordance with the Council's standing orders shall be duly recorded with a note by the Proper Officer giving reasons for its rejection in a book for that purpose, which shall be open to inspection by all councillors.
- h Every motion and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area or its residents.

6 Motions not requiring written notice

- a Motions in respect of the following matters may be moved without written notice.
 - i. To appoint a person to preside at a meeting.
 - ii. To approve the absences of councillors.
 - iii. To approve the accuracy of the minutes of the previous meeting.
 - iv. To correct an inaccuracy in the minutes of the previous meeting.
 - v. To dispose of business, if any, remaining from the last meeting.
 - vi. To alter the order of business on the agenda for reasons of urgency or expedience.
 - vii. To proceed to the next business on the agenda.
 - viii. To close or adjourn debate.
 - ix. To refer by formal delegation a matter to a committee or to a sub-committee or an employee.
 - x. To appoint a committee or sub-committee or any councillors (including substitutes) thereto.
 - xi. To receive nominations to a committee or sub-committee.
 - xii. To dissolve a committee or sub-committee.
 - xiii. To note the minutes of a meeting of a committee or sub-committee.
 - xiv. To consider a report and/or recommendation made by a committee or a sub-committee or an employee.
 - xv. To consider a report and/or recommendation made by an employee, professional advisor, expert or consultant.
 - xvi. To authorise legal deeds signed by two councillors and witnessed.
(See standing orders 16(a) and (b) below.)

- xvii. To authorise the payment of monies.
 - xviii. To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
 - xix. To extend the time limit for speeches.
 - xx. To exclude the press and public for all or part of a meeting.
 - xxi. To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
 - xxii. To give the consent of the Council if such consent is required by standing orders.
 - xxiii. To suspend any standing order except those which are mandatory by law.
 - xxiv. To adjourn the meeting.
 - xxv. To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
 - xxvi. To answer questions from councillors.
 - xxvii. That the Council debates immediately a motion brought before it under Standing Order 5.
- b If a motion falls within the terms of reference of a committee or sub-committee or within the delegated powers conferred on an employee, a referral of the same may be made to such committee or sub-committee or employee provided that the Chairman may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

7 Rules of debate

- a Motions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Chairman's direction for reasons of expedience.
- b Subject to standing orders 5(a)–(e) above, a motion shall not be considered unless it has been proposed and seconded.
- c Subject to standing order 3(b)(iii) above, a motion included in an agenda not moved by the councillor who tabled it, may be treated as withdrawn.
- d An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the Chairman of the meeting, is expressed in writing to the Chairman.
- e A Councillor may move amendments to their own motion. If a motion has already been seconded, an amendment to it shall be with the consent of the seconder.
- f Any amendment to a motion shall be either:
 - i. to leave out words;
 - ii. to add words;
 - iii. to leave out words and add other words.
- g A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration.
- h Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman. No further amendment to a motion shall be moved until the previous amendment has been disposed of.
- i Subject to Standing Order 7(h) above, one or more amendments may be discussed together if the Chairman considers this expedient but shall be voted upon separately.
- j Pursuant to standing order 7(h) above, the number of amendments to an original or substantive motion, which may be moved by a councillor, is limited to one.
- k If an amendment is not carried, other amendments shall be moved in the order directed by the Chairman.
- l If an amendment is carried, the original motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.
- m The mover of a motion or the mover of an amendment shall have a right of reply, not exceeding 3 minutes.
- n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply in respect of the substantive motion at the very end of debate and immediately before it is put to the vote.
- o Subject to standing orders 7(m) and (n) above, a councillor may not speak further in respect of any

one motion except to speak once on an amendment moved by another councillor or to make a point of order or to give a personal explanation.

p On a motion to adjourn the debate or the meeting; if in their opinion the matter before the meeting has not been sufficiently discussed and cannot reasonably be sufficiently discussed on that occasion they shall put the adjournment motion to the vote without giving the mover of the original motion their right of reply on that occasion.

q During the debate of a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A Councillor raising a point of order shall identify the standing order which they consider has been breached or specify the irregularity in the meeting they are concerned by.

r A point of order shall be decided by the Chairman and their decision shall be final.

s With the consent of the seconder and/or of the meeting, a motion or amendment may be withdrawn by the proposer. A councillor shall not speak upon the said motion or amendment unless permission for the withdrawal of the motion or amendment has been refused.

t Subject to standing order 7(o) above, when a councillor's motion is under debate no other motion shall be moved except:

- i. to amend the motion;
- ii. to proceed to the next business;
- iii. to adjourn the debate;
- iv. to put the motion to a vote;
- v. to ask a person to be silent or for him to leave the meeting;
- vi. to refer a motion to a committee or sub-committee for consideration;
- vii. to exclude the public and press;
- viii. to adjourn the meeting;
- ix. to suspend any standing order, except those which are mandatory.

u In respect of standing order 7(t)(iv) above, the Chairman shall first be satisfied that the motion has been sufficiently debated before it is seconded and put to the vote. The Chairman shall call upon the mover of the motion under debate to exercise or waive their right of reply and shall put the motion to the vote after that right has been exercised or waived. The adjournment of a debate or of the meeting shall not prejudice the mover's right of reply at the resumption.

8 Code of conduct and dispensations

- a. All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the council on 11 July 2012.
- b. All councillors should undertake training in the code of conduct within 6 months of the delivery of their declaration of acceptance of office.
- c. Unless they have been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which they have a disclosable pecuniary interest. They may return to the meeting after it has considered the matter in which they have the interest
- d. Unless they have been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which they have another interest if so required by the council's code of conduct. They may return to the meeting after it has considered the matter in which they had the interest
- e. **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
- f. A decision as to whether to grant a dispensation shall be made by the Proper Officer and that decision is final
- g. A dispensation request shall confirm;
 - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for dispensation relates;
 - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and 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.
- h. Subject to standing orders 8(d) and (f) above, dispensation requests shall be considered by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required
- i. **A dispensation may be granted in accordance with standing order 8(e) above if having regard to all relevant circumstances the following applies:**
 - i. **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 of**
 - ii. **Granting the dispensation is in the interest of persons living in the council's area or**
 - iii. **It is otherwise appropriate to grant a dispensation**

9 Code of conduct complaints

- a. Upon notification by the District or Unitary Council or County Council that is dealing with a complaint that a councillor or non-councillor with voting rights has breached the council's code of conduct, the Proper Officer shall, subject to standing Order 26 below, report this to council.
- b. Where the notification in standing order 9(a) above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of the Council of this fact, and the Chairman 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 9(d) below
- c. The Council may:
 - i. Provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
 - ii. Seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter
- d. **Upon notification by the District or Unitary Council that a councillor or non-councillor with voting rights has breached the council's code of conduct, the council shall consider what, if any, action to take against him. Such actions excludes disqualification or suspension from office.**

10 Questions

- a. A councillor may seek an answer to a question concerning any business of the Council provided 7 clear days' notice of the question has been given to the Proper Officer.
- b. Questions not related to items of business on the agenda for a meeting shall only be asked during the part of the meeting set aside for such questions.
- c. Every question shall be put and answered without discussion.

11 Minutes

- a. If a copy of the draft minutes of any meeting has been circulated to councillors no later than the day of service of the summons to attend a meeting they shall be taken as read.
- b. No discussion of the draft minutes of a meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the minutes shall be raised in accordance with standing order 6(a)(iv) above.
- c. Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the Chairman and stand as an accurate record of the meeting to which the minutes relate.
- d. If the Chairman 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 Town Mayor/Chairman 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 majority of the () and the minutes are confirmed as an accurate record of the proceedings."

- e 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.

12 Disorderly conduct

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the Chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- b If person(s) disregard the request of the Chairman of the meeting to moderate or improve their conduct, any councillor or the Town Mayor may move that the person no longer be heard or excluded from the meeting. The motion, if seconded shall be put to the vote without discussion.
- c If a resolution made under standing order 12(b) above is ignored, the Chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

13 Rescission of previous resolutions

- a A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months except either by a special motion, the written notice whereof bears the names of at least 5 councillors of the Council, or by a motion moved in pursuance of the report or recommendation of a committee.
- b When a special motion or any other motion moved pursuant to standing order 13(a) above has been disposed of, no similar motion may be moved within a further 6 months.

14 Voting on appointments

Where more than 2 persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. Any tie may be settled by the Chairman's casting vote.

15 Expenditure

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

16 Execution and sealing of legal deeds

See also standing order 6(a)(xvi) above

- a A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.
- b **In accordance with a resolution made under standing order 13(a) above, any two members of the Council, may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.**

17 Committees and Sub-Committees

See also standing order 1 above

- a **Unless the council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**
- b **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the council**
- c **Unless the council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors**
- d The Council may, appoint standing committees or other committees as may be necessary, and:
 - i. shall determine their terms of reference;

- ii. shall determine the number and time of ordinary meetings of a standing committee up until the date of the next annual meeting of full council;
- iii. shall permit a committee, other than in respect of the ordinary meeting of a committee, to determine the number and time of its meetings;
- iv. shall, subject to standing order 16(b) and (c) above, appoint and determine the terms of office of members of such a committee;
- v. may, subject to standing order 16(b) and (c) above, appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer 3 days before the meeting that they are unable to attend;
- vi. shall, after it has appointed the members of a standing committee, appoint the chairman of the standing committee;
- vii. shall permit a committee other than a standing committee, to appoint its own chairman at the first meeting of the committee;
- viii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which shall be no less than three;
- ix. shall determine if the public may participate at a meeting of a committee
- x. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee
- xi. shall determine If the public may participate at a meeting of a sub-committee that they are permitted to attend; and
- xii. may in accordance with standing orders, dissolve a committee at any time.

Presence of non-members of Committees at Committee Meetings

- xiii. A member who has proposed a motion, which has been referred to any Committee of which they are not a member, may attend to explain their motion to the Committee but shall not vote thereon.
- xiv. Any Council member shall be entitled to be present as a spectator at the meeting of any Committee or Sub-Committee of which they are not a member even if members of the public have been excluded by means of a resolution under Standing Order number 1(i), save:
 - (i) in respect of the Personnel Committee, or
 - (ii) where that member would have declared a prejudicial interest in the item had they been a member of the Committee or Sub-Committee.

19 Delegation of urgent and routine matters

- a There shall be delegated to the Town Clerk the authority to act in respect of any function of the Council on a matter, which in their opinion does not admit of delay. This delegated authority shall only be exercised in consultation with the Mayor and/or Deputy Mayor.
- b There shall be delegated to the Town Clerk the authority to act in respect of any function of a Committee or Sub-Committee, which in their opinion either does not admit of delay or is routine. This delegated authority shall only be exercised in consultation with the Chairman or Vice Chairman of the Committee or Sub-Committee within whose terms of reference the particular function lies
- c Each exercise of delegated authority under this Standing Order shall be reported for information to the next meeting of the Committee or Sub-Committee within whose terms of reference the particular function lies or to Council
- d The delegations in this Standing Order are in addition to and without prejudice to the powers of the Council or its Committees to arrange for the discharge of any of its functions by a Sub-Committee or an officer.

20 Extraordinary meetings

See also standing order 1 above

- a **The Town Mayor may convene an extraordinary meeting of the Council at any time.**
- b **If the Town Mayor does not or refuses to call an extraordinary meeting of the Council within 7**

days of having been requested to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two councillors.

- c The Chairman of a committee (or a sub-committee) may convene an extraordinary meeting of the committee or sub-committee at any time.
- d If the Chairman of a committee (or a sub-committee) does not or refuses to call an extraordinary meeting within 7 days of having been requested to do so by 2 councillors, any 2 councillors may convene an extraordinary meeting of a committee (or a sub-committee). The statutory public notice giving the time, venue and agenda for such a meeting must be signed by 2 councillors.

21 Accounts and Accounting Statement

- a 'Proper practices' in standing orders refer to the most recent version of Governance and Accountability for Local Councils - a Practitioners' Guide
- b All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations, which shall be reviewed at least annually.
- c The Responsible Financial Officer shall supply to each councillor as soon as practicable after, 30 June, 30 September and 31 December in each year a statement summarising
 - i. the Council's receipts and payments (or income and expenditure) for each quarter
 - ii. The council's aggregate receipts and payments (or income and expenditure) for year to date;
 - iii. the balances held at the end of a quarter being reportedThis statement should include a comparison with the budget for the financial year and highlights any actual or potential overspends.
- d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
 - i. Each councillor with a statement summarising the council's receipts and payments (or income and expenditure) for the last quarter and the year to date information; and
 - ii. To the full council the accounting statements for the year in the form of section 2 of the annual return, as required by proper practices, for consideration and approval.
- e The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the council (receipts and payments, or income and expenditure) for a year to 31 March. A completed draft annual return shall be presented to each councillor at least 14 days prior to anticipated approval by the Council. The annual governance and accountability return of the council, which is subject to external audit, including the annual governance statement, shall be presented to council for consideration and formal approval before 30 June.

22 Estimates/precepts

- a **The Council shall approve written estimates for the coming financial year** at its meeting before the end of January.
- b Any committee desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year in time for consideration at the meeting.

23 Canvassing of and recommendations by councillors

- a Canvassing councillors or the members of a committee or sub-committee, directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such an appointment. The Proper Officer shall disclose the requirements of this standing order to every candidate.
- b A councillor or a member of a committee or sub-committee shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for promotion; but, nevertheless, any such person may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- c This standing order shall apply to tenders as if the person making the tender were a candidate for an appointment.

24 Inspection of documents

- a Subject to standing orders to the contrary or in respect of matters which are confidential, a

councillor may, for the purpose of their official duties (but not otherwise), inspect any document in the possession of the Council or a committee or a sub-committee, and request a copy for the same purpose. The minutes of meetings of the Council, its committees or sub-committees shall be available for inspection by councillors.

25 Unauthorised activities

- a Unless authorised by a resolution, no individual councillor shall in the name or on behalf of the Council, a committee or a sub-committee:
 - i. inspect any land and/or premises which the Council has a right or duty to inspect; or
 - ii. issue orders, instructions or directions.

26 Handling confidential or sensitive information

- a The agenda, papers that support the agenda and the minutes of a meeting shall not be disclosed or otherwise undermine confidential or sensitive Information which for special reasons would not be in the public interest.
- b Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.

27 Power of General Competence (England)

- a **Before exercising the power of general competence, a meeting of the full Council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria required to qualify as an eligible parish council.**
- b **The Council's period of eligibility begins on the date that the resolution under standing order 26 (a) above was made and expires on the day before the annual meeting of the Council that takes place in a year of ordinary elections.**
- c **After the expiry of its preceding period of eligibility, the Council continues to be an eligible council solely for the purpose of completing any activity undertaken in the exercise of the power of general competence which was not completed before the expiry of the Council's preceding period of eligibility referred to in standing order 26 (b) above.**

28 Matters affecting council employees

- a A matter personal to a member of staff that is being considered by a meeting of council or the Personnel Committee is subject to standing order 26 above
- b If a meeting considers any matter personal to a Council employee, it shall not be considered until the Meeting has decided whether or not the press and public shall be excluded pursuant to standing order 1(i) above.
- c Any persons responsible for all or part of the management of Council employees shall keep written records of all meetings relating to their performance, and capabilities, grievance and disciplinary matters.
- d The Council shall keep written records relating to employees secure. All paper records shall be secured under lock and electronic records shall be password protected.
- e 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.
- f Only persons with line management responsibilities shall have access to employee records referred to in standing orders 27(c) and (d) above if so justified.
- g Access and means of access by keys and/or computer passwords to records of employment referred to in standing order 27(c) and (d) above shall be provided only to the Town Clerk.

29 Management of Information

- 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 limitations Act 1980)

- c The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information of personal data without legal justification
- d Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.

29 Responsibilities to provide information

- a 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.
- b The Council, shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.

30 Responsibilities under Data Protection Legislation

- a The Council may appoint a Data Protection Officer.
- b The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning their personal data
- c The Council shall have a written policy in place for responding to and managing a personal data breach
- d The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken
- e The Council shall ensure that information communicated in its privacy notices(s) is in an easily accessible and available form and kept up to date.
- f The Council shall maintain a written record of its processing activities.

31 Relations with the press/media

- a All requests from the press or other media for an oral or written statement or comment from the Council shall be processed in accordance with the Council's policy in respect of dealing with the press and/or other media.
- b In accordance with the Council's policy in respect to dealing with the press and/or other media, councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media.

32 Liaison with District and County or Unitary Councillors

- a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the councillor of the District and County representing its electoral ward.
- b Unless the Council otherwise orders, a copy of each letter sent to the District or County or Unitary Council shall be sent to the District or County or Unitary Council councillor representing its electoral ward.

33 Financial matters

- a The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - i. the keeping of accounting records and systems of internal control;
 - ii. the assessment and management of financial risks faced by the Council;
 - iii. the work of the independent Internal Auditor in accordance with proper practices and the receipt of regular reports from the Internal Auditor, which shall be required at least annually;
 - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments;
 - v. whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process of procurement exercise
- b Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.

- c **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in standing orders 32 (f) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity unless it proposes to use an existing list of approved suppliers (framework agreement).**
- d Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
 - i. A specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. An invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
 - iii. The invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
 - iv. Tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
 - v. Tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for the submission of tenders has passed;
 - vi. Tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with the delegated responsibility.
- e Neither the Council, nor a committee or sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest tender.
- f **A public contract regulated by the Public Contract Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contract Finder website and in OJEU**
- g **A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016**

34 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 Council's standing orders not mandatory by law shall not be carried unless two-thirds of the councillors at a meeting of the Council vote in favour of the same.

35 Standing orders to be given to councillors

- a The Proper Officer shall provide a copy of the Council's standing orders to a councillor upon delivery of their declaration of acceptance of office.
- b The Chairman'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.

Incorporating new model SO changes from NALC 2018
Incorporating amendments issued by NALC July 2018

Responsible Officer	Town Clerk	Date effective from	May 2015	Review date	March 2019
Author	Town Clerk	Date last amended	August 2018		