

## Key

Bold - Mandatory

## Item 7a

### 1. Meetings

- 1.1. **Meetings shall not take place in a room, which at the time of the meeting, is used for the supply of alcohol.**
- 1.2. Mobile Phones must be switched off unless permission is given by the Chairman, in which case they must be muted.
- 1.3. **When calculating the three clear days for notice of a meeting to Councillors and the public, the day on which the 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.**
- 1.4. **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.**

#### Public Participation at Meetings

- 1.5. **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.**
- 1.6. Members of the public may attend non-confidential proceedings of any Town Council and Committee Meeting. However, they may not participate in debate or discussion.
- 1.7. If there is some issue on which they want to express their views in person, the Chairman can allow public participation by temporarily adjourning the meeting.
- 1.8. The period of time which is designated for public participation shall not exceed 15 minutes.
- 1.9. Subject to 1.6; 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 five minutes.
- 1.10. A question asked by a member of the public during a public participation session at a meeting shall not require a response or debate.
- 1.11. The Chairman may direct that a response to a question posed by a member of the public be referred to a committee for consideration.
- 1.12. A record of the public participation shall be included in the minutes of that meeting.
- 1.13. Subject to Standing Order (1.5), members of the public are permitted to make representations, answer questions and give evidence.
- 1.14. A record of public participation session at a meeting shall be included in the minutes of that meeting. (subject to item 7.7)

#### Speaking at Meetings

- 1.15. A person shall raise their hand when requesting to speak.
- 1.16. Any person speaking at a meeting shall address his comments to the Chairman.
- 1.17. Councillors who attend a meeting but are not a member of that committee shall, at the discretion of the Chairman, be allowed to speak, but may not vote.
- 1.18. 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.

#### Press and Recording of Meetings

- 1.19. **Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is permitted.**
- 1.20. **In accordance with Standing Order (1.5) 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.**

#### Questions and Voting

- 1.21. **Subject to Standing Order (1.29), all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.**
- 1.22. **The Chairman may give an original vote on any matter put to the vote, and in the case of an equality of votes, must exercise his casting vote whether or not he gave an original vote.**
- 1.23. **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. Such a request shall be made before moving onto the next item of business on the agenda.**

#### Attendance and Code of Conduct

- 1.24. The minutes of the meeting shall record the names of Councillors present and absent.
- 1.25. **A Councillor must submit reasons for absence at the meeting (personal reasons is acceptable), which is then approved by a resolution, such resolution shall be recorded in the minutes of the meeting at which the approval was given.**
- 1.26. Minutes will also include a list of those whom are absent without apologies received.
- 1.27. **The Code of Conduct adopted by the Council shall apply to Councillors in respect of the entire meeting.**
- 1.28. **An interest arising from the Code of Conduct adopted by the Council, the existence and nature of which is required to be disclosed by a Councillor at a meeting shall be recorded in the minutes.**

#### Quoracy and Length of Meetings

- 1.29. **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.**

**If a meeting is or becomes inquorate, no business shall be transacted and the meeting shall be adjourned following a wait of 15 minutes. Any outstanding business of a meeting so adjourned shall be transacted at a following meeting.**

- 1.30. Meetings shall not exceed a period of two and a half hours except by agreement of the meeting.
- 1.31. Quoracy of Committees is set at 50% of membership  
**\*Amendment to Standing Orders 'to accommodate remote meetings.' is at the end of Standing Orders.**

## **2. PROPER OFFICER**

- 2.1. The Council's Proper Officer shall be either
  - 2.1.1. the Town Manager or
  - 2.1.2. such other employee as may be nominated by the Council from time to time or
  - 2.1.3. such other employee appointed by the Council to undertake the role of the Proper Officer during the Proper Officer's absence.
- 2.2. 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.
- 2.3. The Council's Proper Officer shall do the following:
  - 2.3.1. Sign and serve on the Councillors by delivery, post or electronically at their residences a summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee or sub-committee at least three clear days before the meeting.**
  - 2.3.2. The Proper Officer shall attach a copy of the summons, and any relevant papers to an email and send it to those Councillors who have requested it, provided any such email contains the electronic signature and title of the Proper Officer.
  - 2.3.3. In Accordance with Standing Order 1.3; give public notice of the time, date, venue and agenda at least three clear days before a meeting of the Council or a meeting of a committee or a sub-committee (provided that the public notice with the agenda of an extraordinary meeting of the Council convened by the Councillors is signed by them).**
  - 2.3.4. Subject to Standing Orders 3.1 – 3.5, include in the agenda all motions in the order received unless a Councillor has given written notice at least three days before the meeting confirming his withdrawal of it.
  - 2.3.5. Convene a meeting of Full Council for the election of a new Chairman of the Council occasioned by a Casual Vacancy in his office, in accordance with standing order (2.3.1 or 2.3.2) above.**
  - 2.3.6. Make available for inspection the minutes of meetings.
  - 2.3.7. Receive and retain copies of byelaws made by other local authorities.**
  - 2.3.8. Receive and retain Declarations of Acceptance of Office from Councillors.
  - 2.3.9. Retain a copy of every Councillor's Register of Interests and any changes to it and keep copies of the same available for inspection.
  - 2.3.10. Keep proper records required before and after the meetings.

- 2.3.11. Process all requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council's procedures relating to the same.
  - 2.3.12. Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
  - 2.3.13. Manage the organisation, storage of and access to information held by the council in paper and electronic form.
  - 2.3.14. Arrange for legal deeds to be signed and witnessed (see also NALC Model Standing Orders 14(a) and (b)).
  - 2.3.15. 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.
- 2.4. Action or undertake activity or responsibilities instructed by resolution or contained in Standing Orders.

### **3. MOTIONS REQUIRING WRITTEN NOTICE**

- 3.1. In accordance with standing order 2.3.4 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 at least three clear days before the next meeting.
- 3.2. The Proper Office may, before including motion in the agenda received in accordance with standing order 3.1 above, correct obvious grammatical or typographical errors in the wording of the motion.
- 3.3. If the Proper Officer considers the wording of a motion received in accordance with standing order 3.1 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 three clear days before the meeting.
- 3.4. 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.
- 3.5. Having consulted the Chairman or Councillors pursuant to standing order 3.4 above, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.
- 3.6. 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.
- 3.7. 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.
- 3.8. Every motion and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affect the Council's area or its residents.

### **4. MOTIONS NOT REQUIRING WRITTEN NOTICE**

Motions in respect of the following matters may be moved without written notice:

- 4.1. To appoint a person to preside at a meeting.
- 4.2. To approve the absences of Councillors.
- 4.3. To approve the accuracy of the minutes of the previous meeting.

- 4.4. To correct an inaccuracy in the minutes of the previous meeting.
- 4.5. To dispose of business, if any, remaining from the last meeting.
- 4.6. To alter the order of business on the agenda for reasons of urgency or expedience.
- 4.7. To proceed to the next business on the agenda.
- 4.8. To close or adjourn debate.
- 4.9. To refer by formal delegation or a matter to a committee or to a sub-committee or an employee.
- 4.10. To appoint a committee, panel or sub-committee or any Councillors (including substitutes) thereto.
- 4.11. To receive nominations to a committee or sub-committee.
- 4.12. To dissolve a committee or sub-committee.
- 4.13. To note the minutes of a meeting of a committee or sub-committee.
- 4.14. To consider a report and/or recommendations made by a committee or a sub-committee or an employee.
- 4.15. To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
- 4.16. To authorise legal deeds signed by two Councillors and witnessed. See Standing Orders 12.
- 4.17. To authorise the payment of monies in accordance with the Financial Regulations.
- 4.18. To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
- 4.19. To extend the time limit for speeches.
- 4.20. To exclude the press and public for all or part of a meeting.
- 4.21. To silence or exclude from the meeting of a Councillor or a member of the public (for disorderly conduct).
- 4.22. To give the consent of the Council if such consent is required by Standing Orders.
- 4.23. To suspend any Standing Order except those which are mandatory by law.
- 4.24. To adjourn the meeting.
- 4.25. To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
- 4.26. To answer questions from Councillors.
- 4.27. 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.

## **5. RULES OF DEBATE**

- 5.1 Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the Chairman of the meeting.
- 5.2 A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- 5.3 A motion on the agenda that is not moved by its proposer may be treated by the chairman of the meeting as withdrawn.
- 5.4 If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- 5.5 An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- 5.6 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.
- 5.7 A Councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- 5.8 Subject to standing order 5.11 below, only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman of the meeting.
- 5.9 A Councillor may not move more than one amendment to an original or substantive motion.
- 5.10 The mover of an amendment has no right of reply at the end of debate on it.
- 5.11 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 he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.
- 5.12 A point of order shall be decided by the chairman of the meeting and his decision shall be final.
- 5.13 When a motion is under debate, no other motion shall be moved except:
- 5.13.1 to amend the motion;
  - 5.13.2 to proceed to the next business;
  - 5.13.3 to adjourn the debate;
  - 5.13.4 to put the motion to a vote;
  - 5.13.5 to ask a person to be no longer heard or to leave the meeting;
  - 5.13.6 to refer a motion to a committee or sub-committee for consideration;
  - 5.13.7 to exclude the public and press;
  - 5.13.8 to adjourn the meeting; or
  - 5.23.9 to suspend particular Standing Order(s) excepting those which reflect mandatory statutory requirements.
- 5.14 Before an original or substantive motion is put to the vote, the Chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.
- 5.15 Excluding motions moved under Standing Order 5.18, the contributions or speeches by a Councillor shall relate only to the motion under discussion and shall not exceed 5 minutes without the consent of the Chairman of the meeting.

## 6. QUESTIONS RELATING TO A MEETING – ITEMS ON THE AGENDA

- 6.1 A Councillor may seek an answer to a question concerning any business of the Council provided **two** clear working days' notice of the question has been given to the Proper Officer.
- 6.2 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.
- 6.3 Every question shall be put and answered without discussion.

### Requests for Information

- 6.4 Any requests made by Councillors to Officers for information should be made to the Chairman or the Town Manager **only** or channelled through the appropriate Committee. Any request for information should be made with good reason and stated.

## 7. Minutes

- 7.1 Council meetings do not approve minutes of committees, sub-committees or panels, they simply receive them. The committee, sub-committee or panel approve their own minutes.
- 7.2 Decisions made at Full Council and committees are immediate and do not need the minutes to be approved before they are enacted. (Any recall signed by five Councillors should be received by the Town Manager within five working days). *Councillors can elect to sit on any committee or panel to enable them to take part in debate, if they choose not to then they forfeit their right to discuss/approve decisions made by that Committee.*  
Sub-committees and panels can only make recommendations to their respective committee.
- 7.3 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 in accordance with Standing Order 4 above.
- 7.4 Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the Chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- 7.5 If the Chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:  
*"The Chairman of this meeting does not believe that the minutes of the meeting of the (xxx) on (date) in respect of (xx) were a correct record but his view was not upheld by the majority of the (xx) and the minutes were confirmed as an accurate record of the proceedings".*
- 7.6 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.
- 7.7 Parishioners should not be named in minutes as attendees or in terms of representations made unless necessary for the performance of the Council's statutory duties, functions and contracts. Doing so creates Data Protection issues and as parishioners are not formally part of the Town Council meeting, doing so serves no purpose.
- 7.8 Minutes should be a record of decisions made and little else. They should never be a verbatim record of what individual Councillors have said, and it is rarely necessary to record details of debate.
- 7.9 ALL decisions taken in Council meetings MUST by law be recorded.

## **8. Disorderly Conduct**

- 8.1 No person shall obstruct the transaction of business at a meeting or behave offensively or improperly or in such a manner as to bring the Council into disrepute. It is for the Chairman to decide who speaks, and only one person at a time will be permitted to speak.
- 8.2 If, in the opinion of the Chairman, there has been a breach of Standing Order 8.1 the Chairman shall express that opinion and thereafter any Councillor (including the Chairman) may move that the person be silenced or excluded from the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
- 8.3 If a resolution made in accordance with Standing Order 8.2 is disobeyed, the Chairman may take such further steps as may reasonably be necessary to enforce it and/or adjourn the meeting.

## **9. Rescission of Previous Resolutions**

- 9.1 A resolution (whether affirmative or negative) of the Council shall not be reversed within six months except by either a special motion, the written notice whereof bears the names of at least five Councillors of the Council, by a motion moved in pursuance of the report or recommendation of a Committee and delivered within five working days from the last Full Council meeting, or when changes are required as a result of changes in legislation or information effecting that decision that was not known at the time of the decision being made.
- 9.2 when a special motion or any other motion moved pursuant to Standing Order 9.1 has been disposed of, no similar motion may be moved for a further six months.

## **10. Voting on Appointments**

- 10.1 where more than two persons have been nominated for a position to be filled by the Council, and none of those persons have 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 will continue until a majority of votes is given in favour of one person. Any tie may be settled by the Chairman's casting vote.
- 10.2 The Council may elect to have a signed private ballot to facilitate the voting process. The signed private ballot will be counted by at least two Officers.

## **11. Expenditure**

- 11.1 **Any expenditure incurred by the Council shall be in accordance with the Council's Financial Regulations.**
- 11.2 **The Council's Financial Regulations shall be reviewed annually.**
- 11.3 **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.**

## **12. Execution and Sealing of Legal Deeds**

- 12.1 **see also Standing Order 4.16**
- 12.2 **A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.**



- 12.3 **In accordance with a resolution made under Standing Order 12.2, 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.**

### **13. Committees**

See also standing Order 1.

- 13.1 The Council shall at its Annual Meeting, appoint standing committees and may at any other time appoint such other committee as may be necessary, and:
- 13.2 shall determine their Terms of Reference
- 13.3 Shall agree dates of Full Council and Committee Meetings
- Membership and Attendance
- 13.4 Committees shall comprise of Council Members only
- 13.5 No limit on Committee membership
- 13.6 Non-Council members may be invited to attend a meeting but for the purpose of advice and/or information only; non-Councillors are not permitted to take part in voting or decision making
- 13.7 Chairman can elect to sit on all committees, sub-committees and panels if s/he chooses to do so.
- 13.8 Shall appoint and determine the term of office of Councillors of such a committee so as to hold office no later than the next annual meeting
- 13.9 may appoint substitute Councillors to a Committee whose role is to replace ordinary Councillors at a meeting of a committee if ordinary Councillors of the committee have confirmed to the Proper Officer three days before the meeting that they are unable to attend.
- 13.10 An ordinary member of a Committee who has been replaced at a meeting by a substitute member (in accordance with Standing Order 13.9 shall not be permitted to participate in debate or vote on business at that meeting and may only speak during any public participation sessions during the meeting.
- 13.11 The Council, may in accordance with Standing Orders, dissolve a Committee at any time.
- 13.12 Quoracy of Committees is set at 50% of membership.
- 13.13 Rules relating to minutes (item 7 – 7.9 apply).

### **14. Sub-Committees**

See also Standing Order 1

- 14.1 **Unless there is a Council resolution to the contrary, every committee may appoint a sub-committee whose terms of reference and members shall be determined by resolution of the committee.**
- 14.2 Sub-Committees shall comprise of no more than ten Members  
Non-Council Members may be invited to sit on a Sub-Committee but for the purpose of advice and/or information only; non-Councillors are not permitted to take part in voting or decision making
- 14.3 Quoracy of Sub-Committees is set at 50% of membership
- 14.4 The Chairman is an ex-officio Member of any Sub-Committee
- 14.5 Rules relating to minutes (item 7 – 7.9 apply).

## 15. Panels

See also Standing Order 1

- 15.1 The Council or a committee of the Council may appoint panels comprised of a number of Councillors and non-Councillors.
- 15.2 Panels act in an advisory capacity, and have no decision-making powers.
- 15.3 Any panel will be chaired by a Councillor of a Committee or sub-committee.
- 15.4 Terms of Reference to be determined by resolution.
- 15.5 Panels shall comprise of no more than ten Members.
- 15.6 The Chairman is ex-officio Member of any Panel.
- 15.7 Quoracy shall be set at 50% of panel membership.
- 15.8 Rules relating to minutes (item 7 – 7.9 apply).

## 16. Extraordinary Meetings

See also Standing Order 1

- 16.1 **The Chairman of the Council may convene an Extraordinary Meeting of the Council at any time.**
- 16.2 **If the Chairman of the Council does not or refuses to call an Extraordinary Meeting of the Council within seven days of having been requested to do so by two Councillors; those 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.**
- 16.3 The Chairman of a Committee (or a sub-Committee) may convene an extraordinary meeting of the Committee or sub-Committee at any time.
- 16.4 If the Chairman of a Committee (or sub-Committee) does not or refuses to call an Extraordinary Meeting within 14 days of having been requested to do so by two Councillors; those two 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 seven Councillors.

## 17. Accounts and Financial Statements

- 17.1 All payments by the Council shall be authorised, approved and paid in accordance with the Council's Financial Regulations, which shall be reviewed at least annually.
- 17.2 The Responsible Financial Officer shall supply to each Councillor as soon as practicable after 31 March, 30 June, 30 September and 31 December in each year, a statement summarising the Council's receipts and payments for each quarter and the balances held at the end of a quarter. This statement should include a comparison with the budget for the financial year. A Financial Statement prepared on the appropriate accounting basis (receipts and payments, or income and expenditure) for a year to 31 March shall be presented to each Councillor before the end of the following month of May. The Statement of Accounts of the Council (which is subject to external audit), including the Annual Governance Statement, shall be presented to the Council for formal approval before 30 June.

## **18. Estimates/Precepts**

- 18.1 The Council shall approve written budget estimates for the coming financial year at its meeting before the end of January
- 18.2 Any Committee desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year, no later than December.

## **19. Canvassing of and Recommendations by Councillors**

- 19.1 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.
- 19.2 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.
- 19.3 This Standing Order shall apply to tenders as if the person making the tender were a candidate for an appointment.

## **20. Inspection of Documents**

- 20.1 Subject to Standing Orders to the contrary or in respect of matters which are confidential, a Councillor may, for the purpose of his official duties (but not otherwise), inspect any document in the possession of the Council or a committee or 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; subject to Data Protection Laws.

## **21. Unauthorised Activities**

- 21.1 Unless authorised by a resolution, no individual Councillor shall in the name of or on behalf of the Council, a committee or a sub-committee or panel:
  - 21.1.1 Inspect any land and/or premises which the Council has a right or duty to inspect
  - 21.1.2 Or issues orders, instructions or directions

## **22. Confidential/Sensitive Information**

- 22.1 Councillors and employees shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential or sensitive nature or is not in the public interest to divulge.
- 22.2 A Councillor in breach of the provisions of Standing Order 22.1 may be removed from a Committee or a Sub-Committee by a resolution of the Council.
- 22.3 In addition to Councillors, the Town Manager, Deputy Town Manager, Senior Administrator and Assistant to the Town Manager will be permitted to attend confidential business, unless resolved by Members otherwise.

### **23. General Power of Competence**

- 23.1 Before exercising the power to promote the General Power of Competence, a meeting of Full Council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria required to qualify as an eligible Town Council.
- 23.2 The Council's period of eligibility begins on the date that the resolution Standing Order above was made and expires on the day before the Annual Meeting of the Council that takes place in a year of ordinary election.
- 23.3 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 to promote well-being which was not completed before the expiry of the Council's preceding period of eligibility referred to above.

### **24. Matters Affecting Council Employees**

- 24.1 If a meeting considers any matter personal to a Council employee, it shall not be considered until the Council OR the Resources Committee has decided whether or not the press and the public shall be excluded pursuant to Standing Order 22 above.
- 24.2 The Chairman of the Council, or in his absence, the Vice-Chairman shall upon a resolution conduct a review of the performance and/or appraisal of the Town Manager and shall keep a written record of it. The review and/or appraisal shall be reported back and shall be subject to approval by resolution by the Resources Committee.
- 24.3 The Council will abide by the Grievance Procedures for employees as defined in the relevant Employee Handbook. These handbooks are subject to review by the Resources Committee.
- 24.4 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.
- 24.5 The Council shall keep written records relating to employees secure. All paper records shall be secured under lock and electronic records shall be protected according to the laid down security procedure.
- 24.6 Records documenting reasons for an employee's absence due to ill health or details of medical condition shall be made available only to those persons with responsibility for the same.
- 24.7 Access to employee records needs to be justified in each case and be limited to information that is necessary for that case.
- 24.8 Access and means of access by keys and/or computer passwords to records of employment referred to in Standing Orders 24.5 and 24.6 above shall be provided only to the Town Manager and the Deputy Town Manager.

### **25. Code of Conduct Dispensations**

- 25.1 All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the council.**
- 25.2 Unless he has 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**

**he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.**

- 25.3 Unless he has 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 he has another interest if so required by the council's code of conduct. He may return to the meeting after it has considered the matter in which he had the interest.
- 25.4 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.
- 25.5 A decision as to whether to grant a dispensation shall be made [by the Proper Officer] OR [by a meeting of the council, or committee or sub-committee for which the dispensation is required] and that decision is final.
- 25.6 A dispensation request shall confirm:
- 25.6.1 the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
  - 25.6.2 whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
  - 25.6.3 the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
  - 25.6.4 an explanation as to why the dispensation is sought.
- 25.7 **Dispensations requests shall be considered by the Proper Officer** as soon as possible before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required] OR [at the beginning of the meeting of the council, or committee or a sub-committee for which the dispensation is required].
- 25.8 **A dispensation may be granted if having regard to all relevant circumstances the following applies:**
- 25.8.1 **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**
  - 25.8.2 **or granting the dispensation is in the interests of persons living in the council's area or**
  - 25.8.3 **it is otherwise appropriate to grant a dispensation.**

26. **Code of Conduct Complaints**

- 26.1 Upon notification by the County Borough OR County Council that it 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 22, report this to the Council.
- 26.2 **Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of Council of this fact, and the Chairman may nominate another staff member to assume the duties of the Proper Officer in**

**relation to the complaint until it has been determined [(England) and the council has agreed what action, if any, to take in accordance with standing order 26.3.3 below].**

26.3 The council may:

26.3.1 provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;

26.3.2 seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;

**26.4 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 action excludes disqualification or suspension from office.**

## **27. Freedom of Information Act 2000**

27.1 All requests for information held by the Council shall be processed in accordance with the requirements of the Freedom of Information Act 2000. These will be managed according to the Council's Publication Scheme and the powers of the Proper Officer in respect of Freedom of Information requests set out under Standing Order 2.3 above.

27.2 Correspondence from and notices served by the information Commissioner shall be referred by the Proper Officer to the Chairman of the Resources Committee. The said Committee shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000, including exercising the powers of the Proper Officer in respect of Freedom of Information requests.

## **28. Relations with the Press/Media**

All requests from the press or other media for an official 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. This policy states that all statements and comments are to be agreed by the Town Manager and the Council Chairman together with Committee Chairmen, if relevant.

## **29 Liaison with District and County or Unitary Councillors**

29.1 An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the Councillors of the Borough and County representing its electoral ward.

29.2 unless the Council otherwise orders a copy of each letter sent to the Borough and County council will be sent to the Borough and County Councillors representing its electoral ward.

## **30. Planning Applications**

30.1 Planning applications are displayed on Charnwood Borough Council's website. The Town Manager shall maintain a register of every planning application relating to Syston:

- 30.1.1 The date on which it was registered
- 30.1.2 The name of the applicant
- 30.1.3 The place to which it relates

30.2 The development Committee shall have delegated authority to submit comments on planning applications to the Planning Authority without waiting for the ratification of the Full Council.

### **31. Financial Matters**

31.1 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:

- 31.2.1 the accounting records and systems of internal control
- 31.2.2 the assessment and management of financial risks faced by the Council
- 31.2.3 the work of the Internal Auditor and the receipt of regular reports from the Internal Auditor, which shall be required at least annually.
- 31.2.4 The inspection and copying by Councillors and local electors of the Council's accounts and/or orders of payments
- 31.2.5 Procurement Policies (subject to Standing Order 31.2 and Financial Regulations) including the setting of values for different procedures where the contract has an estimated value of less than £60k.

31.2 **Any proposed contract for the supply of goods, materials, services and the execution of work with an estimated value in excess of £25k shall be procured on the basis of a formal tender as detailed in the Financial Regulations.**

31.3 **Where the value of a contract is likely to exceed £138 893 (or other threshold specified by the Office of the Government of Commerce from time to time), the Council must consider whether the Public Contracts Regulations 2006 (SI No 5, as amended) and the Utilities Contracts Regulations 2006 (SI No 6 as amended) apply to the contract and, if either of those Regulations apply, the Council must comply with EU procurement rules.**

### **32. Variation, Revocation and Suspension of Standing Orders**

32.1 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.

32.2 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 present and voting at a meeting of the Council vote in favour of the same.

### **33. Standing Orders to be given to Councillors**

33.1 The Proper Officer shall provide a copy of the Council's Standing Orders to a Councillor upon delivery of his Declarations of Acceptance of Office.

33.2 The Chairman's decision as to the application of Standing Orders at meetings shall be final.

### **34 Management of Information**

*See also standing order 35.*

- 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 **Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.**

### **35 Responsibilities under Data Protection Legislation**

(Below is not an exclusive list).

*See also standing order 34.*

- a **The Council shall appoint a Data Protection Officer.**
- b **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his 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 notice(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.**



### **34. ANNUAL MEETING OF THE COUNCIL**

- 34.1 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.**
- 34.2 In a year which is not an election year, the Annual Meeting of a Council shall be held on such a day in May as the Council direct.**
- 34.3 If no other time is fixed, the Annual Meeting of the Council shall take place at 7pm.**
- 34.4 In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council directs.**

#### **Election of the Chairman and Vice Chairman**

- 34.5 The election of the Chairman and Vice-Chairman of the Council shall be the first business completed at the Annual Meeting of the Council.**
- 34.6 The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the Annual Meeting of the Council until his successor is elected at the next Annual Meeting of the Council.**
- 34.7 The Vice-Chairman of the Council, if any, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next Annual Meeting of the Council.**
- 34.8 In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council he shall preside at the meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but must give a casting vote in case of an equality of votes.**
- 34.9 In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he shall preside at the meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and must give a casting vote in the case of any equality of votes.**
- 34.10 Following the election of the Chairman of the Council and Vice-Chairman (if any) of the Council at the Annual Meeting of the Council, the order of business shall be as follows.**

#### **Annual Town Meeting Procedures**

- 34.11 In an election year, delivery by Councillors of their Declarations of Acceptance of Office.**
- 34.12 Confirmation of the accuracy of the minutes of the last meeting of the Council and to receive and note the minutes of and/or to determine recommendations made by committees.**
- 34.13 Review of delegation arrangements to committees, sub-committees, panels, employees and other local authorities.**
- 34.14 Review of terms of reference for committees.**
- 34.15 Receipt of nominations to existing committees**
- 34.16 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.**
- 34.17 Review and adoption of appropriate Standing Orders and Financial Regulations at**

the meeting following the Annual Town Meeting.

Signed .....

Chairman

Date .....