



## STANDING ORDERS

### 1. MEETINGS

- 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. The minimum three clear days for notice of a meeting does not include 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.
- c. 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.
- d. Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- e. The period of time for public participation shall be at the Chairman's discretion.
- f. In accordance with standing order 1(d) above, a question shall not require a response at the meeting nor start a debate on the question. The Chairman of the meeting may direct that a written or oral response be given.
- g. A record of a public participation session at a meeting shall be included in the minutes of that meeting where appropriate.
- h. Any person speaking at a meeting shall address their comments to the Chairman.
- i. 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.
- j. Photographing, recording, broadcasting or transmitting the proceedings of any meeting of the Council should be conducted in accordance with the Council's 'protocol for reporting at meetings of the Council or Committee'.
- k. 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.
- l. Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in their absence be done by, to or before the Vice-Chairman of the Council.

- m. 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.
- n. Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the Councillors.
- o. The Chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise their casting vote whether or not they gave an original vote.
- p. 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.
- q. The minutes of a meeting shall include an accurate record of the following
  - The time and place of the meeting
  - The names of councillors present and absent
  - Interests that have been declared by councillors
  - Whether a councillor left the meeting when matters that they held interests in were being considered
  - If there was a public participation session
  - The resolutions made
- r. A Councillor 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
- s. No business may be transacted at a meeting unless at least four members of the council are present.
- t. If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.
- u. Meetings shall not exceed a period of 2 1/2 hours.

## 2. ORDINARY COUNCIL MEETINGS

- 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 a year which is not an election year, the annual meeting of a Council shall be held on such day in May as the Council may direct.
- c. If no other time is fixed, the annual meeting of the Council shall take place at 7.30 pm.
- d. Meetings are to be held on the second Wednesday of every month with the exception of August. The Annual Town Council meeting will be held on the second Wednesday in May.

- e. The first business conducted at the annual meeting of the council shall be the election of the Chairman and Vice-Chairman of the Council.
- f. The Chairman of the Council, 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.
- g. The Vice-Chairman of the Council, if any, unless they resign 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.
- h. In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, they 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 the case of an equality of votes.
- i. In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, they shall preside at the meeting until a new Chairman of the Council has been elected. They 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 an equality of votes.

### 3. PROPER OFFICER

- a. The Proper Officer shall be either (i) the clerk or (ii) other staff member(s) nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.
- b. The Council's Proper Officer shall do the following.
  - At least three clear days before a meeting of the council serve on councillors a summons, by email, confirming the time, place and the agenda provided any such email contain the electronic signature and title of the Proper Officer.
  - 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 (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).
  - Convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in this office.
  - Make available for inspection the minutes of meetings.
  - Receive and retain copies of byelaws made by other local authorities.
  - Receive and retain declarations of acceptance of office from councillors.
  - Carry out duties in accordance with their job description.

### 4. RESPONSIBLE FINANCIAL OFFICER

- a. The council shall appoint as appropriate the Proper Officer to undertake the work of the Responsible Financial Officer (RFO) when the RFO is absent.

## 5. RULES OF DEBATE

- a. 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.
- b. A motion shall not be progressed unless it has been moved and seconded.

## 6. CODE OF CONDUCT AND DISPENSATIONS

- a. All councillors shall observe the code of conduct adopted by the Council.
- b. Unless they have been granted a dispensation, a councillor shall withdraw from a meeting when it is considering a matter in which they have a disclosable pecuniary interest or another interest if so required by the council's code of conduct. They may return to the meeting after it is considered the matter in which they had the interest
- c. 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
- d. A decision as to whether to grant a dispensation shall be made by the Proper Officer or by a meeting of the council for which the dispensation is required. That decision is final.
- e. A dispensation request shall confirm;
  - the description and nature of the disclosable pecuniary interest to which the request for the dispensation relates
  - Whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote
  - The date of the meeting or the period (not exceeding 4 years) for which the dispensation is sought
  - An explanation as to why the dispensation is sought
- f. A dispensation may be granted in accordance with standing order 6(d) above if having regard to all relevant circumstances the following applies;
  - Without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business or
  - Granting the dispensation is in the interests of persons living in the council's area or
  - It is otherwise appropriate to grant a dispensation

## 7. CODE OF CONDUCT COMPLAINTS

- a. Upon notification by the District Council that it is dealing with a complaint that a councillor has breached the council's code of conduct, the Proper Officer shall, subject to standing order 17, report this to the council.
- b. Where the notification in standing order 7(a) above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of 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 7(d) below.

- c. The council may:
  - provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
  - 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 Council that a councillor has breached the council's code of conduct, the council shall consider what, if any, action to take against them. Such action excludes disqualification or suspension from office.

## 8. MINUTES

- a. If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy (or earlier), they shall be taken as read.
- b. Following receipt of the draft minutes, Councillors should forward any amendments to the Proper Officer for consideration prior to the next meeting so they may be amended and recirculated.
- c. 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.
- d. There shall be no discussion about the draft minutes except in relation to their accuracy
- 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.

## 9. 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 chairman of the meeting may move that the person be no longer heard or excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- c. If a resolution made in accordance with the above standing order, 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.

## 10. VOTING ON APPOINTMENTS

- a. 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. A tie in votes may be settled by the casting vote exercisable by the chairman of the meeting.

## 11. ACCOUNTS AND ACCOUNTING STATEMENTS

- 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
- c. The RFO shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement summarising the Council's receipts and payments for the each quarter and the balances held at the end of a quarter and 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<sup>st</sup> March, the RFO shall provide each councillor with a statement summarising the council's receipts and payments for the last quarter and the year to date for information and to the full council the accounting statements for the year in the form of section 1 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 applying 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 before the end of the following month of May. The annual 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.
- f. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- g. 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. GRANT FUNDING STRATEGY

- a. No scheme will be entered into without it being directly related to a specific business plan objective.
- b. No scheme will be entered into without the Council examining the proposal in relation to staffing capacity, strategic fit or longer term costs.
- c. In the event of any scheme being advanced that does not meet the above criteria then the process may only be diverted by members calling a special meeting with one item of special business being considered.

## 13. EXECUTION AND SEALING OF LEGAL DEEDS

- a. A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.
- b. Subject to standing order 13(a) above, any two councillors may sign, on behalf of the council, any deed required by law and the Proper Officer shall witness their signatures.

## 14. COMMITTEES

- a. The Council may appoint committees as appropriate.
- b. Each Committee shall determine their terms of reference which must be approved by Council.

- c. Committees will be allowed to determine the dates of their meetings;
- d. Committee may be dissolved at any time subject to Council approval
- e. Unless the council determines otherwise, all members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.

## 15. EXTRAORDINARY MEETINGS

- a. The Chairman of the Council may convene an extraordinary meeting of the Council at any time.
- b. If the Chairman of the Council 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, 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. RESTRICTIONS ON COUNCILLOR ACTIVITIES

- a. Unless authorised by a resolution, no councillor shall inspect any land and/or premises which the Council has a right or duty to inspect or issue orders, instructions or directions.

## 17. HANDLING CONFIDENTIAL / SENSITIVE INFORMATION

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

## 18. HANDLING STAFF MATTERS

- 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 17 above.
- b. The adopted Grievance and Disciplinary Policies must be followed.
- c. Any persons responsible for all or part of the management of staff shall treat the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters as confidential and secure.

## 19. REQUESTS FOR INFORMATION

- a. Requests for information held by the Council shall be handled in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000 and the Data Protection Act 1998.

## 20. RELATIONS WITH PRESS / MEDIA

- a. Requests from the press or other media for an oral or written comment or statement from the Council, its councillors or staff shall be referred to the Chairman (Vice Chair in their absence) in the first instance.

## 21. DATA PROTECTION

- a. The Council is the Data Controller and the Town Clerk is the Data Protection Officer. All Councillors and staff must know / receive training about the Data Protection. Data Protection is managed through a policy

## 22. STANDING ORDERS

- a. The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible after the Councillor has delivered their declaration of acceptance of office form.
- b. All or part of a standing order, except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting
- c. The decision of the Chairman of a meeting as to the application of standing orders at meetings shall be final.

Standing orders adopted on 14<sup>th</sup> March 2018

Minute reference: TC18/52



