

Revised January 2014

ADOPTED ON:.....March 2014. Minute:.....Signed:.....

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# 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. Meetings shall be held alternately between Kelsey Hall, Ifold and Winterton Hall, Plaistow, at 7.30pm unless the Council otherwise directs.
- b 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. **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice** OR The minimum three clear days' public notice of a meeting does not include the day on which the notice was issued or the day of the meeting.
- 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. (See Standing Order 26c below)
- d Subject to standing order 1(c) above, members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included in the agenda.
- e A question asked by a member of the public during a public participation session at a meeting shall not require a response or debate.
- f The Chairman may direct that a response to a question posed by a member of the public be referred to a Councillor for a oral response or to an employee for a written or oral response.
- g A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- h A person shall raise his hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort)]. The Chairman may at any time permit an individual to be seated when speaking.
- i Any person speaking at a meeting shall address his comments to the

Chairman.

- j 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.
- k Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's consent.
- l 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.
- m Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman may in his absence be done by, to or before the Vice-Chairman (if any).
- n The Chairman of the meeting, 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.
- o The Chairman may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote.
- p Subject to model standing order 1 (v) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.
- q 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 on to the next item of business on the agenda.
- r The minutes of a meeting shall include an accurate record of the following:
  - 1. the time and place of the meeting;**
  - 2. the names of councillors present and absent;**
  - 3. interests that have been declared by councillors and non-councillors with voting rights;**
  - 4. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;**
  - 5. if there was a public participation session;**
  - 6. and the resolutions made.**

- s The code of conduct adopted by the Council shall apply to councillors in respect of the entire meeting.
- t 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.
- u 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 3.
- v 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.
- W **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 his right to participate and vote on that matter.**

## 2 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 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 7.30pm.
- d 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.
- e The election of the Chairman and Vice-Chairman of the Council shall be the first business completed at the annual meeting of the Council.
- f The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.
- g 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.

- h 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 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, 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 an equality of votes.
  
- j Following the election of the Chairman of the Council and Vice-Chairman of the Council at the annual meeting of the Council, the order of business shall be as follows -
  - (a) In an election year, delivery by councillors of their declarations of acceptance of office along with the Chairman's Declaration of Acceptance.
  - (b) Adoption of appropriate Standing Orders and Financial Regulations. Standing Orders and Financial Regulations will be formally reviewed every year.
  - (c) In the ordinary year of election of the Council, to fill any vacancies left unfilled at the election by reason of insufficient nominations
  - (d) To decide when any Declarations of Acceptance of Office which have not been received by law, shall be received
  - (e) To appoint Committees and renew terms of reference
  - (f) To appoint Working Groups and renew terms of reference
  - (g) To appoint representatives to outside bodies
  - (h) To inspect any deeds and trust investments in the custody of the Council, as required;
  - (i) Setting dates, times and place of ordinary meetings of the full Council for the year ahead;
  - (j) Review all risk assessments
  - (k) Confirmation of the accuracy of the minutes at the last meeting of council: At ordinary meetings the order of business, unless the Council otherwise decides on urgency, shall be:
    - (i) To read and consider the Minutes: provided that if a copy has been circulated to each Member not later than the day of issue of the summons to attend the Meeting, the Minutes may be taken as read. Members should submit questions or corrections to the Clerk before the meeting.
    - (ii) After consideration, to approve the signature of the Minutes by the person presiding as a correct record.
    - (iii) To deal with business expressly required by statute to be done.

- (iv) To dispose of business, if any, remaining from the last meeting.
- (v) To receive such communications as the person presiding may wish to lay before the Council.
- (vi) To answer questions from Members.
- (vii) To receive and consider reports and minutes of all committees, sub committees and working groups.
- (viii) To receive reports from District and/or County Councillors.
- (ix) To receive and consider reports from officers of the Council.
- (x) To authorise the sealing of documents.
- (xi) To consider resolutions or recommendations in the order in which they have been notified.
- (xii) Any other business specified in the summons.
- (xiii) To consider any confidential business.

- (l) Review of inventory of land and assets including buildings and office equipment;**
- (m) Confirmation of arrangements for insurance cover in respect of all insured risks;**
- (n) Review of the council's and/or staff subscriptions to other bodies;**
- (o) Review of the council's complaints procedure;**
- (p) Review of the council's procedures for handling requests made under the freedom of information Act 2000 and the data protection Act 1998;**
- (q) Review of the council's policy for dealing with the press/media.**

### 3 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 Sign and serve on councillors by delivery or post 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 at least 3 clear days before the meeting.
  - 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 (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 4(a)-(e) below, include in the agenda all motions in the order received unless a councillor has

- given written notice at least five days before the meeting confirming his withdrawal of it.
- iv 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 3(b)i above.
  - 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.
  - ix Keep proper records required before and after meetings
  - x 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.
  - xi Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
  - xii Manage the organisation, storage of and access to information held by the Council in paper and electronic form.
  - xiii Arrange for legal deeds to be signed by two councillors and witnessed (*See also Standing Orders 14(a) and (b)*)
  - xiv 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.
  - xv Record every planning application notified to the Council and the Council's response to the local planning authority in the minutes;
  - xvi Refer a planning application received by the Council to 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 meeting of the Planning committee.
  - xvii Retain custody of the seal of the Council which shall not be used without a resolution to that effect.
  - xviii Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.

## **4 Motions requiring written notice**

a 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 5 clear days before the next meeting, unless covered as an exception under Section 5.

b The Proper Officer may, before including a motion in the agenda received in accordance with standing order 4(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 4(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 three 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 4(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.

## **5 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 recommendations made by a committee or a sub-committee or an employee.
- xv. To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
- xvi. To authorise legal deeds signed by two councillors and witnessed.  
(See standing orders 14(a) and (b) below.)
- xvii. To authorise the payment of monies up to £1000
- 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

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.

## **6 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 A motion shall not be considered unless it has been proposed and seconded.

c A motion included in an agenda not moved by the councillor who tabled it, may be treated as withdrawn.

d A motion to amend an original or substantive motion shall not be considered unless proper notice has been given after the original or substantive motion has been seconded and notice of such amendment, shall, if required by the Chairman, be reduced to writing and handed to the Chairman who shall determine the order in which they are considered.

e A Councillor may move amendments to his 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 One or more amendments may be discussed together if the Chairman considers this expedient but shall be voted upon separately.

j 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 5 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 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 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 irregularity in the meeting he is concerned by.

q Points of order shall be decided by the Chairman and his decision shall be final.

r 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.

s 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.

t 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 his 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.

u Excluding motions moved understanding order 6(r) above, the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 3 minutes without the consent of the chairman at the meeting.

## **7 Code of Conduct and Dispensations**

a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the council.

b 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 had the interest.

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 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.

d **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.

e A decision as to whether to grant a dispensation shall be made by the Proper Officer and that decision is final.

f A dispensation request shall confirm:

- i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;

- ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
- iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
- iv. an explanation as to why the dispensation is sought.

g Subject to standing orders 7(d) and (f) above, dispensations 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] OR [at the beginning of the meeting of the council, or committee or a sub-committee for which the dispensation is required].

**h A dispensation may be granted in accordance with standing order 13(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 or**
- (ii) granting the dispensation is in the interests of persons living in the council's area or**
- (iii) it is otherwise appropriate to grant a dispensation.**

## **8 Questions**

- a A councillor may seek an answer to a question concerning any business of the Council provided 3 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

## **9 Minutes**

- a If a copy of the draft minutes of a preceding meeting has been circulated to councillors no later than the day of service of the summons to attend the scheduled meeting they shall be taken as read.
- b No discussion of the draft minutes of a preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the minutes shall be raised in accordance with standing order 5(a)(iv) above.
- 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 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 ( ) held on [date] in respect of ( ) were a correct record but his 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.

## **10 Disorderly conduct**

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly.
- b If, in the opinion of the Chairman, there has been a breach of standing order 10(a) above, 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.
- c If a resolution made in accordance with standing order 10(b) above, is disobeyed, the Chairman may take such further steps as may reasonably be necessary to enforce it and/or he may adjourn the meeting.

## **11 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 2 councillors of the Council, or by a motion moved in pursuance of the report or recommendation of a committee.

## **12 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. Any tie may be settled by the Chairman's casting vote.

## **13 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 every 4 years
- 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.

## **14 Execution and sealing of legal deeds**

*See also standing order 5(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 14(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.

## **15 Committees and Sub Committees**

*See also standing order 1 above*

The Council may, at the Annual Meeting appoint standing committees and may at other times appoint such committees as are considered necessary, but subject to any statutory provisions in that behalf: -

- a Shall not appoint any member of a committee so as to hold office later than the next Annual Meeting.
- b May appoint persons other than members of the Council to any

committee.

- c May at any time, dissolve or alter the membership of a committee.
- d Members are able to select if they wish to sit on one or more committees.
- e No Member may hold the office of chairman of more than one committee or sub committee.
- f The Chairman or Vice Chairman of Council may not chair any other committee or sub committee, with the exception of the Finance and Planning Committee's.
- g When possible, all committee and sub committee meetings shall start at 7.30pm.

- h The permanent standing committees and sub committees of the Council, the membership thereof, frequency of meetings and terms of reference, shall be as follows -

**1 Council**

To consist of 11 members, and meet regularly on Tuesdays and responsible for the normal statutory responsibilities of the Council, including, but not limited to:

- i Setting overall budget and Precept
- ii Standing Orders
- iii Code of Conduct for Members
- iv Councillor Training
- v Health & Safety
- vi Emergency Plan
- vii Major Projects
- viii Complaints and Grievances (via the Complaints Panel)
- ix Partnership Initiatives
- x Parish Plan
- xi Liaison with Outside Organisations
- xii Staffing issues

**2 Finance and Administration Committee**

To consist of 3 members with the Chairman and Vice-Chairman of Council as ex-officio Members, meeting on Mondays or other day as agreed, four times each year and at any other time as may be required and responsible for:

- i Council Budget Preparation
- ii Council Budget Monitoring
- iii Preparation of Annual Accounts for Council approval
- iv Internal Audit Controls
- v Insurance arrangements
- vi Financial Regulations – for approval by Council
- vii Financial Risk Assessments

### 3 **Planning Committee**

To consist of four members, with the Chairman and Vice-Chairman as ex officio Members, meeting at three week intervals or other dates as agreed, on a Wednesday and responsible for the following:

- i All planning applications within the Parish
- ii Planning Policy – for approval by Council

## **16 Extraordinary meetings**

*See also standing order 1 above*

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.

c The chairman of a committee may convene an extraordinary meeting of the committee at any time.

d If the chairman of the committee does not or refuses to call an extraordinary meeting within 7 days of having been requested to do so by 3 members of the committee, any 3 members of the committee may convene a meeting.

## **17 Accounts and Financial Statement**

a All payments by the Council shall be authorised, approved and paid in accordance with the Council's financial regulations, which shall be reviewed every 4 years.

b Except as provided in paragraph (c) of this Standing Order or by statute, all accounts for payment and claims upon the Council shall be laid before Council

c Where it is necessary to make a payment before it has been authorised by the Council, such payment shall be certified as to its correctness and urgency by the appropriate officer for payment with the approval of the Chairman or Vice-Chairman of the Council

d 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 the 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 Council for formal approval before 30 June.

## **18 Estimates/precepts**

- a The Council shall approve written estimates for the coming financial year as soon as practically possible.
- b 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**

- 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.

## **20 Inspection of documents**

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 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.

## **21 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.

## **22 Confidential Business or Sensitive Information**

- a Councillors and employees shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature.
- b A councillor in breach of the provisions of standing order 22(a) above may be removed from a committee or a sub-committee by a resolution of the Council.
- C The agenda, papers that support the agenda and the minutes of the meeting shall not disclose or otherwise undermine confidential or sensitive information which for special reasons would not be in the public interest.
- D Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.

## **23 Restrictions on Councillors Activities**

- a Unless authorised by a resolution, no councillor shall:
  - (i) inspect any land and or premises which the council has a right or duty to inspect; or
  - (ii) issue orders, instructions or directions.

## **24 Matters affecting council employees**

- a If a meeting considers any matter personal to a Council employee, it shall not be considered until the Council has decided whether or not the press and public shall be excluded pursuant to standing order 1(c) above.
- b Subject to the Council's policy regarding absences from work, the Parish Clerk shall notify the Chairman of any absence occasioned by illness or urgency.
- c The Chairman shall upon a resolution conduct a review of the performance and/or appraisal of the Parish Clerk 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 Council
- d Subject to the Council's policy regarding the handling of grievance matters, the Council's Parish Clerk shall contact the Chairman in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Council

- e Subject to the Council's policy regarding the handling of grievance and disciplinary matters, if an informal or formal grievance matter raised by an employee relates to the Chairman or Vice-Chairman of the Council, this shall be communicated to another member of the Council, which shall be reported back and progressed by resolution of the Council
- f 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.
- g 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.
- h 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.
- i Only persons with line management responsibilities shall have access to employee records referred to in standing orders 24(g) and (h) above if so justified.
- j Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 24(g) and (h) above shall be provided only to Clerk and/or the Chairman of the Council.
- k In every year, not later than the meeting at which the estimates for next year are settled, the Council shall review the pay and conditions of existing employees.

## **25 Freedom of Information Act 2000**

- a All requests for information held by the Council shall be processed 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.
- b Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Chairman. The Chairman 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 set out under standing order 3(b)(x) above.

## **26 Relations with the press/media/public**

- 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.
- c The public shall be admitted to all meetings of the Council and its committees and sub-committees, which may, however, temporarily exclude the public** by means of the following resolution

-  
"To consider whether to exclude the Press and Public from the meeting during the consideration of the following items in accordance with Section 1 (subsection 2) of the Public Bodies (Admission to Meetings) Act 1960 on the grounds that they involve the likely disclosure of exempt information."

*(Notes: The special nature should be stated. If a person's advice or assistance is needed, they may be invited (by name) to remain after the exclusion resolution is passed.)*

This Standing Order shall not apply if the Council calls a public meeting to discuss a particular issue.

- d At the commencement of business of all Council and Committee meetings there will be time set aside known as PUBLIC FORUM, for the public to raise questions, express concerns or make statements.

## **27 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 Council representing its electoral ward.
- b When requested by the Council, a copy of correspondence sent to the District or County Council shall be sent to the District or County councillor representing its electoral ward.

## **28 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 accounting records and systems of internal control;
- ii. the assessment and management of financial risks faced by the Council;
- iii. the work of the Internal Auditor 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. procurement policies (subject to standing order 28(b) below) including the setting of values for different procedures where the contract has an estimated value of less than £60,000.

**b Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £60,000 shall be procured on the basis of a formal tender as summarised in standing order 28(c) below.**

- c Any formal tender process shall comprise the following steps -
  - i a public notice of intention to place a contract to be placed in a local newspaper;
  - ii a specification of the goods, materials, services and the execution of works shall be drawn up;
  - iii tenders are to be sent, in a sealed marked envelope, to the Proper Officer by a stated date and time;
  - iv tenders submitted are to be opened, after the stated closing date and time, by the Proper Officer and at least one member of the Council;
  - v tenders are then to be assessed and reported to the appropriate meeting of Council or Committee.
- d Neither the Council, nor any committee, is bound to accept the lowest tender, estimate or quote.
- e Where the value of a contract is likely to exceed £138,893 (or other threshold specified by the Office of Government 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.
- f The council shall appoint appropriate staff member(s) to undertake the work of the RFO when the RFO is absent.

## **29 Allegations of breaches of the code of conduct**

- a On receipt of a notification that there has been an alleged breach of the code of conduct the Proper Officer shall refer it to the next meeting of the Council, which shall establish a committee known as the Personnel Committee.

b Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of the Council of that fact, who, upon receipt of such notification, shall nominate a person to assume the duties of the Proper Officer set out in the remainder of this standing order, who shall continue to act in respect of that matter as such until the complaint is resolved as above.

c Where a notification relates to a complaint made by an employee (not being the Proper Officer) the Proper Officer shall ensure that the employee in question does not deal with any aspect of the complaint.

d The subject matter of notifications shall be confidential and, insofar as it is possible to do so by law, the Council (including the Proper Officer and the Chairman of the Personnel Committee) shall take the steps set out below, together with other steps considered necessary, to maintain confidentiality.

(i) Draft the summonses and agendas in such a way that the identity and subject matter of the complaint are not disclosed.

(ii) Ensure that any background papers containing the information set out in standing order 29(a) above are not made public.

(iii) Ensure that the public and press are excluded from meetings as appropriate.

(iv) Ensure that the minutes of meetings preserve confidentiality.

(v) Consider any liaison that may be required with the person or body with statutory responsibility for the investigation of the matter.

e Standing order 29(d) above should not be taken to prohibit the Council (whether through the Proper Officer or the Chairman of the Personnel Committee or otherwise) from disclosing information to members and officers of the Council or to other persons where such disclosure is necessary to deal with the complaint or is required by law.

f The Personnel Committee shall have the power to:

i. seek documentary and other evidence from the person or body with statutory responsibility for investigation of the matter;

ii. seek and share information relevant to the complaint;

iii. grant the member involved a financial indemnity in respect of legal costs, which shall be in accordance with the law and subject to approval by a meeting of the full Council.

g References in standing order 29 to a notification shall be taken to refer to a communication of any kind which relates to a breach or an alleged breach of the code of conduct by a councillor.

**h 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.**

## **30 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 add or vary or revoke one or more of the council's standing orders, except one that incorporates mandatory statutory requirements, shall be proposed by a special motion, the written notice by at least 3 councillors to be given to the proper officer in accordance with the standing order above.
- c) 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.

## **31 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 his 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 them being excluded from the meeting in accordance with standing orders.