



STANDING ORDERS

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1 Meetings Generally

- 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.**

Full Council Meetings shall be held on the second Wednesday of the month alternating between Kelsey Hall, Ifold and Winterton Hall, Plaistow, at 7.30pm unless the Council otherwise directs.

Meetings of the Planning & Open Spaces Committee shall take place every three weeks at 7.30pm; additional meetings may be convened if required.

Meetings of the Winter & Emergency Plan Committee shall take place biannually in March and September at 7:30pm; additional meetings may be convened if required.

- 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.**
- 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 28c)**
- 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. The period of time designated for public participation at a meeting in accordance with Standing Order 1(d) shall not exceed 10 minutes unless directed by the Chairman of the meeting.
- f. Subject to Standing Order 1(e), a member of the public shall not speak for more than 5 minutes.

- g. A question asked by a member of the public during a public participation session at a meeting shall not require a response or debate. The Chairman may direct that a response to a question posed by a member of the public be referred to a Councillor for an oral response or to an employee for a written or oral response.
- h. A person shall raise their hand when requesting to speak and stand when speaking, except when a person has a disability or is likely to suffer discomfort. The Chairman of the meeting may at any time permit a person to be seated when speaking.
A person who speaks at a meeting shall direct their comments to the Chairman of the meeting.
- i. Only one person is permitted to speak at a time. If more than one person wants to speak, the Chairman of the meeting shall direct the order of speaking.
- j. A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- k. **Subject to Standing Order 1(I) below a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.**
- l. **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
- m. **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.**
- n. **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 his absence be done by, to or before the Vice-Chairman of the Council (if there is one).**
- o. **The Chairman of the Council, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman of the Council (if there is one) 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.
- p. **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the Councillors and non-Councillors with voting rights present and voting.**
- q. **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.**
- r. **Unless Standing Orders provide otherwise, voting on a 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.
- s. 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. the grant of dispensations (if any) to Councillors and non-Councillors with voting rights;
 5. whether a Councillor or non-Councillor with voting rights left the meeting when matters that they held interests in were being considered;
 6. if there was a public participation session; and
 7. the resolutions made
- t. The Code of Conduct adopted by the Council shall apply to Councillors in respect of the entire meeting.
- u. 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.
- v. **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.

- w. **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.**
- x. **If a meeting is or becomes inquorate no business shall be transacted** and the meeting shall be adjourned. Any outstanding business of a meeting so adjourned shall be transacted at a following meeting.

2 Ordinary 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 6pm.**
- 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, they shall preside at the Annual 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 Annual 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 shall 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 the Chairman of the Council and Councillors of their Acceptance of Office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council of his Acceptance of Office form unless the Council resolves for this to be done at a later date.**
 - (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 Steering 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 Steering 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. **at least three clear days before a meeting of the Council, a Committee or a Sub-Committee,**
- **serve on Councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the Councillor has consented to service by email), and**
 - **Provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an Extraordinary meeting of the Council convened by Councillors is signed by them).**

See standing order 1(b) for the meaning of clear days for a meeting of the Council.

- ii. 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.
- iii. **Convene a meeting of the full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office.**
- iv. **facilitate inspection of the minute book by local government electors.**
- v. **Receive and retain copies of byelaws made by other local authorities.**
- vi. Receive and retain declarations of Acceptance of Office from Councillors.
- vii. Retain a copy of every Councillor's Register of Interests and any changes to it and keep copies of the same available for inspection.
- viii. Keep proper records required before and after meetings.
- ix. 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.
- x. Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
- xi. Assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of Data Protection and Freedom of Information legislation and other legitimate requirements (e.g. the Limitation Act 1980);
- xii. Arrange for legal deeds to be signed by two Councillors and witnessed (*See also Standing Orders 14(a) and (b)*)
- xiii. 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.

- xiv. Record every planning application notified to the Council and the Council's response to the local planning authority in the minutes.
- xv. 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.
- xvi. Action or undertake activity or responsibilities instructed by resolution or contained in Standing Orders.

4. Motions Requiring Written Notice

- a. A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
- b. No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least 5 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c. The Proper Officer may, before including a motion on the agenda received in accordance with standing order 4(b), correct obvious grammatical or typographical errors in the wording of the motion.
- d. If the Proper Officer considers the wording of a motion received in accordance with standing order 4(b) is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it, so that it can be understood, in writing, to the Proper Officer at least 3 clear days before the meeting.
- e. If the wording or subject of a proposed motion is considered 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 in the agenda or rejected.
- f. The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.

- g. Motions received shall be recorded and numbered in the order that they are received.
- h. Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.

5 Motions Not Requiring Written Notice

- a The following motions may be moved at a meeting without written notice to the Proper Officer:
 - i. to correct an inaccuracy in the draft minutes of a meeting;
 - ii. to move to a vote;
 - iii. to defer consideration of a motion;
 - iv. to refer a motion to a particular Committee or Sub-Committee;
 - v. to appoint a person to preside at a meeting;
 - vi. to change the order of business on the agenda;
 - vii. to proceed to the next business on the agenda;
 - viii. to require a written report;
 - ix. to appoint a Committee or Sub-Committee and their members;
 - x. to extend the time limits for speaking;
 - xi. to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest;
 - xii. to not hear further from a Councillor or a member of the public;
 - xiii. to exclude a Councillor or member of the public for disorderly conduct;
 - xiv. to temporarily suspend the meeting;
 - xv. to suspend a particular Standing Order (unless it reflects mandatory statutory or legal requirements);
 - xvi. to adjourn the meeting; or
 - xvii. to close the meeting.

- 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 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 (including an amendment) shall not be progressed unless it has been moved and seconded.
- c A motion on the agenda that is not moved by its proposer may be treated by the Chairman of the meeting as withdrawn.
- d 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.
- e An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- f If an amendment to the original motion is carried, the original motion (as amended) becomes the substantive motion upon which further amendment(s) may be moved.
- g 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.
- h 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.
- i If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the Chairman of the meeting.
- j Subject to standing order 6(k), only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman of the meeting.
- k One or more amendments may be discussed together if the Chairman of the meeting considers this expedient but each amendment shall be voted upon separately.
- l A Councillor may not move more than one amendment to an original or substantive motion.
- m The mover of an amendment has no right of reply at the end of debate on it.
- n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate on the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.

- o Unless permitted by the Chairman of the meeting, a Councillor may speak once in the debate on a motion except:
 - i. to speak on an amendment moved by another Councillor;
 - ii. to move or speak on another amendment if the motion has been amended since he last spoke;
 - iii. to make a point of order;
 - iv. to give a personal explanation; or
 - v. to exercise a right of reply.

- p During the debate on 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.

- q A point of order shall be decided by the Chairman of the meeting and his decision shall be final.

- r When a 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 no longer heard or 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; or
 - ix. to suspend particular Standing Order(s) excepting those which reflect mandatory statutory or legal requirements.

- s 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.

- t Excluding motions moved under Standing Order 6(r), 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 of 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.
- h. **A dispensation may be granted in accordance with Standing Order 7(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;

(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 have 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)(i) 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. 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 be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- c. If a resolution made under standing order 10(b) 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.

11 Previous Resolutions

- a. A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least 2 Councillors to be given to the Proper Officer in accordance with Standing Order 4, or by a motion moved in pursuance of the recommendation of a Committee or a Sub-Committee.
- b. When a motion moved pursuant to standing order 11(a) has been disposed of, no similar motion may be moved for a further six months.

12 Voting On Appointments

- a. Where more than two 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.

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 3(b)(xii) 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

- a. Unless the Council determines otherwise, a Committee may appoint a Sub-Committee whose terms of reference and members shall be determined by the Committee.**
- b. The members of a Committee may include non-Councillors unless it is a Committee which regulates and controls the finances of the Council.**
- c. Unless the Council determines otherwise, all the members of an advisory Committee and a Sub-Committee of the advisory Committee may be non-Councillors.**
- d. The Council may appoint standing Committees or other Committees as may be necessary, and:
 - i. shall determine their terms of reference;
 - ii. shall determine the number and time of the ordinary meetings of a standing Committee up until the date of the next Annual Meeting of the Council;
 - iii. shall permit a Committee, other than in respect of the ordinary meetings of a Committee, to determine the number and time of its meetings;

- iv. shall, subject to Standing Orders 15(b) and (c), appoint and determine the terms of office of members of such a Committee;
- v. may, subject to Standing Orders 15(b) and (c), appoint and determine the terms of office of the substitute members to a Committee whose role is to replace the ordinary members at a meeting of a Committee if the ordinary members of the Committee confirm to the Proper Officer 3 days before the meeting that they are unable to attend;
- vi. shall, after it has appointed the members of a standing Committee, appoint the Chairman of the standing Committee;
- vii. shall permit a Committee other than a standing Committee, to appoint its own Chairman at the first meeting of the Committee;
- viii. shall determine the place, notice requirements and quorum for a meeting of a Committee and a Sub-Committee which, in both cases, shall be no less than three;
- ix. shall determine if the public may participate at a meeting of a Committee;
- x. shall determine if the public and press are permitted to attend the meetings of a Sub-Committee and also the advance public notice requirements, if any, required for the meetings of a Sub-Committee;
- xi. shall determine if the public may participate at a meeting of a Sub-Committee that they are permitted to attend; and
- xii. may dissolve a Committee or a Sub-Committee.
 - e. Shall not appoint any member of a Committee so as to hold office later than the next Annual Meeting.
 - f. May appoint persons other than members of the Council to any Committee.
 - g. May at any time alter the membership of a Committee.
 - h. Members are able to select if they wish to sit on one or more Committees.
 - i. No Member may hold the office of Chairman of more than one Committee or Sub Committee.
 - j. 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.
 - k. When possible, meetings of the Council shall start at 7.30pm.

- I. The permanent standing Committees and Sub Committees of the Council, the membership thereof, frequency of meetings and terms of reference, shall be as follows –

(to be read in conjunction with the Council's Scheme of Delegation)

1 Council

To consist of 11 members and meet regularly on the second Tuesday of the month and is 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 Major Projects
- vii Complaints and Grievances
- viii Partnership Initiatives
- ix Neighbourhood Plan
- x Liaison with Outside Organisations
- xi Staffing issues
- xii Council Budget Preparation
- xiii Council Budget Monitoring
- xiv Preparation of Annual Accounts for Council approval
- xv Internal Audit Controls
- xvi Insurance arrangements
- xvii Financial Regulations – for approval by Council
- xviii Financial Risk Assessments

2 Planning & Open Spaces Committee

To consist of eight members, with the Chairman and Vice-Chairman as ex officio Members and meet regularly every three weeks, or on other dates as required and is responsible for, but not limited to:

- i All planning applications within the Parish
- ii Planning Policy – for approval by Council
- iii Open Spaces owned/managed by the Council
- iv Lady Hope Playpark
- v Trees

3 **Winter & Emergency Plan Committee**

To consist of eight (8) members, with the Chairman and Vice-Chairman as ex officio Members and meet biannually in March and September, or on other dates as required and is responsible for, but not limited to:

- i. Salt bins including audit, signage and equipment
- ii. All roads not identified as part of WSCC's Precautionary Network
- iii. Winter treatment and clearance of footways, cycleways and/or 3rd party, or non-highway land
- iv. Farmers/Contractors appointed to treat/clear local roads
- v. Daily decision on weather conditions
- vi. Emergency centres
- vii. Emergency equipment
- viii. Broadband contract
- ix. Parish Defibrillators
- x. Parish owned Telephone Kiosks
- xi. Flooding and Riparian Ownership
- xii. Winterton Hall - day-to-day decision making regarding the Winterton Hall, which is the Parish's designated emergency building. The Committee must defer all significant decision making and expenditure above £200 to the full 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 call an Extraordinary meeting of the Council within seven days of having been requested in writing to do so by two Councillors, any two Councillors may convene an Extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two Councillors.**
- c The Chairman of a Committee, or a Sub-Committee may convene an Extraordinary meeting of the Committee, or the Sub-Committee at any time.
- d If the Chairman of a Committee, or a Sub-Committee does not call an Extraordinary meeting within seven days of having been requested to do so by two members of the Committee, or the Sub-Committee, any two members of the Committee or the Sub-Committee may convene an Extraordinary meeting of the Committee or a Sub-Committee.

17 Accounts And Financial Statement

- a All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's Financial Regulations, which shall be reviewed every four years.
- b Except as provided in paragraph (c) below 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 of the Council, or Chairman of the Finance Steering Group.
- d The Responsible Financial Officer shall supply to each Councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
 - i. the Council's receipts and payments (or income and expenditure) for each quarter;
 - ii. the Council's aggregate receipts and payments (or income and expenditure) for the year to date;
 - iii. the balances held at the end of the quarter being reported and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- e As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
 - i. each Councillor with a statement summarising the Council's receipts and payments (or income and expenditure) for the last quarter and the year to date for information; and
 - ii. to the Council the accounting statements for the year in the form of Section 2 of the annual governance and accountability return, as required by proper practices, for consideration and approval.
- f The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all Councillors at least 14 days prior to anticipated

approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

- g “Proper practices” in Standing Orders refer to the most recent version of “Governance and Accountability for Local Councils – a Practitioners’ Guide”.

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

- a 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 duly authorised 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.

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.

23 Management Of Information

See also standing order 24.

- 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.**

24 Responsibility To Provide Information

See also Standing Order 23.

- a **In accordance with Freedom of Information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**

25 Responsibilities Under Data Protection Legislation

(Below is not an exclusive list).

See also standing order 23.

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

26 Matters Affecting Council Employees

- a A matter personal to a member of staff that is being considered by a meeting of the Council is Subject to standing order 23.
- 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 of the Council, or in his absence the Vice-Chairman shall upon a resolution conduct a review of the performance and annual appraisal of the work of the Parish Clerk. The reviews and appraisal shall be reported in writing and are subject to approval by resolution by the Council.
- d Subject to the Council's policy regarding the handling of grievance matters, the Parish Clerk shall contact the Chairman of the Council, or in his absence the Vice-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 matters, if an informal or formal grievance matter raised by the Parish Clerk 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 staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.
- g In accordance with Standing Order 23(a), persons with line management responsibilities shall have access to staff records referred to in standing order 26(f).
- h 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.
- j 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.
- k 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.
- l Access and means of access by keys and/or computer passwords to records of employment referred to in Standing Order 26 shall be provided only to the Parish Clerk and/or the Chairman of the Council.
- m 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.

27 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.

28 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 as PUBLIC FORUM, for the public to raise questions, express concerns or make statements.

29 Liaison With District And County 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.

30 Financial Matters

- a. The Council shall consider and approve Financial Regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - i. the keeping of accounting records and systems of internal controls;
 - ii. the assessment and management of financial risks faced by the Council;
 - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
 - iv. the inspection and copying by Councillors and local electors of the Council's accounts and/or orders of payments; and
 - v. whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise.
- b. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in standing order 30(f) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity unless it proposes to use an existing list of approved suppliers (framework agreement).**
- c. Subject to additional requirements in the Financial Regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
 - i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting Councillors or staff to encourage or support their tender outside the prescribed process;
 - iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
 - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
 - v. tenders shall be opened by the Proper Officer in the presence of at least one Councillor

after the deadline for submission of tenders has passed;

- vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a Committee or Sub-Committee with delegated responsibility.
- d. Neither the Council, nor a Committee or a Sub-Committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- e. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.**
- f. **A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.**
- h. The Council shall appoint appropriate staff member(s) to undertake the work of the Responsible Financial Officer (RFO) when the RFO is absent.

31 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 31(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 31(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 31 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.**

32 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 4 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.

33 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.