



Standing Orders

~~LAST REVISED MARCH 2019~~

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(Some matters concerning which a Council would normally make a Standing Order are set down in Acts of Parliament and are therefore compulsory. The Standing Orders which have been printed in **heavy type**.)

- NB**
- (i) In common with accepted and adopted practice, whenever and wherever the masculine he/him/his appears it will be taken to include the feminine she/her/hers.
 - (ii) The word spouse is meant to include and encompass a person with whom a partnership is enjoyed as in a marriage, namely:- husband, wife, partner, companion, associate, consort, friend, mate, familiar, etceteras.

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MEETINGS

- 1 Meetings of the Council shall be held at the Council Chamber, The Manor House, Buntingford at 8 pm unless the Council otherwise decides at a previous meeting or by the decision of the Chairman of the Council.
- 2 When calculating the three clear days for notice of a meeting to councillors and the public, the day on which notice was issued, the day of the meeting, Sundays, days of the Christmas break, days of the Easter break, Bank Holidays or a day appointed for public thanksgiving or mourning shall not count.

EXTRAORDINARY MEETINGS

- 3 **The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
- 4 **If the Chairman of the Council does not or refuses to call an extraordinary meeting of the Council within seven days of having been requested to do so by two councillors, those two councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two councillors.**

THE STATUTORY ANNUAL MEETING

- 5 (a) **In an election year the Annual Town Council Meeting shall be held on or within 14 days following the day on which the councillors elected take office and,**
(b) **In a year which is not an election year, the Annual Town Council Meeting shall be held on the last Thursday in May.**
(c) **If no other time is fixed, the annual meeting of the Council shall take place at 6pm.**
- 6 **In addition to the Statutory Annual Town Council Meeting three other statutory meetings shall be held in each year on such dates and times and at such place as the Council may direct.**
- 7 (a) **Six additional meetings shall be held on the last Thursday in the months of June, July, October, January, March and April.**
(b) **A vacational meeting of the Council may be held, if necessary, on the last Thursday in August.**

CHAIRMAN OF THE MEETING

- 8 (a) **The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.**
(b) **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).**
(c) **The Chairman, if present, shall preside at a meeting. If the Chairman is**

absent from a meeting, the Vice-Chairman, if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.

PROPER OFFICER

9 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. Where a statute, regulation or order confers functions or duties on the proper officer of the Council in the following cases, it shall be the Clerk. The duties included are:

- (a) To receive Declarations of Acceptance of Office;
- (b) To receive and record, in a book kept for that purpose, notices disclosing personal and prejudicial interests;
- (c) To ensure that minutes of each meeting are recorded and, after they have been approved, make them available for public inspection;
- (d) To receive and retain plans and documents including copies of byelaws of interest to the council, made by other local authorities;
- (e) To sign notices or other documents on behalf of the Council;
- (f) To certify copies of bylaws made by the Council;
- (g) To give members of the Council and the public notice of the time, date and venue together with an agenda, at least three clear days before a meeting of the Council, committee or sub-committee, providing the minutes of the previous meeting of the corresponding Council, committee or sub-committee have already been sent to councillors;
- (h) To receive and store electronic 'read' receipts for notices issued electronically;
- (i) **To convene a meeting of Full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;**
- (j) To process all requests made under the Freedom of Information Act 2000 and Data Protection Act 1998;
- (k) To retain a copy of every councillor's register of interests and any changes to it and keep copies of the same available for inspection;
- (l) To receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- (m) To manage the organisation, storage of and access to information held by the Council in paper and electronic form;
- (n) To arrange for legal deeds to be sealed using the Council's common seal as in Standing Orders no 17i, 25i and 50;

- (o) To 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;
- (p) To record every planning application notified to the Council and the Council's response to the local planning authority;
- (q) To advise the council on the law as specified in 'Local Council Administration' by Charles Arnold Baker, and these Standing Orders.

QUORUM

- 10 **Three members or one-third of the total membership, whichever is the greater, shall constitute a quorum at meetings of the Council.**
- 11 If a quorum is not present when the Council meets the business due to be transacted at that meeting will be considered at a subsequent meeting.
- 12 If the number of councillors present and not debarred by reason of a declared prejudicial interest falls below the quorum, the meeting shall be abandoned and the business not transacted at that meeting shall be transacted at the next meeting or on such other day as the Chairman may arrange.

VOTING

- 13 Members shall vote by a show of hands, or, if at least two members so request, by a signed ballot.
- 14 **If a member so requires, the Clerk shall record the names of the members who voted on any question so as to show whether they voted for or against it. Such a request must be made before moving on to the next business.**
- 15
 - (a) **Subject to (b) and (c) below the Chairman may give an original vote on any matter put to the vote, and in any case of an equality of votes may give a casting vote whether or not he gave an original vote.**
 - (b) **If the person presiding at the annual meeting would have ceased to be a member of the council but for the statutory provisions which preserve the membership of the Chairman and Vice-Chairman until the end of their term of office he may not give an original vote in an election for Chairman.**
 - (c) **The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.**
 - (d) Any member abstaining from a vote should be encouraged to state why he is abstaining, such statement to be entered in the minutes.

ORDER OF BUSINESS

(In an election year councillors should sign Declarations of Acceptance of Office in each others' presence, or in the presence of a proper officer previously authorised by the Council to take such Declaration, before the annual meeting commences.)

16 **At each Annual Meeting, the first business shall be:**

- (a) **To elect a Chairman of the Council.** The Council will determine by no later than the end of March who should be Mayor Elect and Deputy Mayor Elect, election will take place by signed ballot. On the Agenda for the Annual Meeting of the Council in May of the same year the Mayor Elect and Deputy Mayor Elect shall be named. **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.**
- (b) **To receive the Chairman's Declaration of Acceptance of Office or, if not then received, to decide when it shall be received.**
- (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 receive declarations of acceptance of office and undertaking to observe the Council's code of conduct as are required by law to be made or, if not then received, to decide when they shall be received.**
- (e) To elect a Vice-Chairman of the Council. **The Vice Chairman of the Council, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the annual meeting.** Under no circumstances may a Vice Chairman serve for more than two consecutive years without a break of at least one year.
- (f) At the first meeting following an election, to appoint school governors to serve for the duration of the Council.
- (g) To appoint statutory or Standing Committees.
- (h) To have available for inspection all deeds and trust instruments in the custody of the Council and shall thereafter follow the order set out in Standing Order 17.

17 After the first business has been completed, the order of business, unless the Chairman otherwise decides on the ground of urgency, shall be as follows:

- (a) To receive the completed Minutes of any meetings of the Council yet to be approved;
- (b) **After consideration, to approve the signing of the Minutes by the person presiding as a correct record.**
- (c) **To deal with business expressly required by statute to be done.**
- (d) To dispose of business, if any, remaining from the last meeting.
- (e) To receive such communications as the presiding Chairman may wish to lay before the Council.
- (f) To answer questions from Councillors. (See Standing Orders 26 to 29.)

- (g) To receive, consider and approve reports and minutes of committees and to vote on any recommendations contained therein.
 - (h) To receive and consider reports from officers of the Council.
 - (i) To authorise the sealing of documents.
 - (j) If necessary, to authorise the signing of orders for payment.
 - (k) To consider resolutions or recommendations in the order in which they have been notified. (See Standing Order 21.)
 - (l) Other business specified in the summons.
- 18 The chairman shall normally decide the order of business. In the event that a member proposes a change of order it shall be seconded and put to the vote.

RESOLUTIONS MOVED ON NOTICE

- 19 Except as provided by these Standing Orders, no motion may be moved unless the business to which it relates has been put on the Agenda by the Clerk or the mover has given notice in writing of its terms and has delivered the notice to the Clerk at least seven clear days before the next meeting of the Council.
- 20 The Clerk shall date every notice of motion or recommendation when received, shall number each notice in the order in which it was received and shall enter it in a book which shall be open for inspection by every member of the Council.
- 21 The Clerk shall insert in the summons for every meeting all notices of motion or recommendation properly given in the order in which they have been received unless the member giving the notice of motion has stated in writing that he intends to move it at some later meeting or that he withdraws it.
- 22 If a motion or recommendation specified in the summons is not moved either by the member who gave notice of it or by any other member, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.
- 23 If the subject matter of a motion comes within the province of a committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to such committee or to such other Working Party, action group or sub committee as the Council may determine for report; provided that the Chairman, if he considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.
- 24 Every motion or recommendation shall be relevant to some question over which the Council has power or which affects its area.

RESOLUTIONS MOVED WITHOUT NOTICE

- 25 Resolutions dealing with the following matters may be moved without notice:
- (a) To appoint a Chairman of the meeting.
 - (b) To note any corrections or amendments to the minutes and to approve the minutes.

- (c) To alter the order of business.
- (d) To proceed to the next business.
- (e) To close or adjourn the debate.
- (f) To refer a matter to a committee or a member of staff.
- (g) To appoint a committee or any members thereof.
- (h) To adopt a report.
- (i) To authorise the sealing of documents.
- (j) To amend a motion.
- (k) To give leave to withdraw a motion or an amendment.
- (l) To extend the time limit for speeches beyond three minutes.
- (m) To exclude the public. (See Order 71 below.)
- (n) To silence or eject from the meeting a member named for misconduct. (See Orders 35 - 37 below.)
- (o) To silence or eject from the meeting a member of the public for disorderly conduct (see Order 74 below).
- (p) To invite a member having an interest in the subject matter under debate to remain. (See Order 37 below)
- (q) To give the consent of the Council where such consent is required by these Standing Orders.
- (r) To adjourn the meeting. Where a meeting is adjourned the subsequent proceedings are part of the original meeting and no new notices or agendas need to be issued except a notification to all members of the date of the continuation of the meeting.
- (s) To approve the absences of councillors.
- (t) To dispose of business (if any) remaining from the last meeting.
- (u) To dissolve a committee or sub-committee.
- (v) To note the minutes of a committee or sub-committee.
- (w) To consider a report made by an employee, professional advisor, expert or consultant.
- (x) To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.

QUESTIONS (See Standing Order 17(f).)

- 26 A member may ask the Chairman or the Clerk any question concerning the business of the Council, provided notice of the question has been given to the person to whom it is addressed before the meeting begins.
- 27 No questions not connected with business under discussion shall be asked except during the part of the meeting set aside for questions. Only questions not discussed elsewhere in the agenda may be asked at this point in the meeting.
- 28 Every question shall be put and answered without discussion unless the Chairman decides otherwise.
- 29 A person to whom a question has been put should answer to the best of his ability but may decline to answer.

RULES OF DEBATE

- 30 No discussion shall take place upon the Minutes except upon their accuracy. However any member may request a verbal progress report on any item in the minutes at the time it is being considered. Corrections to the Minutes will be recorded in the minutes of the meeting at which the correction was resolved. A pencil note shall be made in the margin of the original minute.
- 31 (a) A resolution or amendment shall not be discussed unless it has been proposed and seconded, and unless proper notice has already been given, it shall, if required by the Chairman, be put in writing and handed to him before it is further discussed or put to the meeting.
- (b) A member when seconding a resolution or amendment may, if he then declares his intention to do so, reserve his speech until a later period of debate.
- (c) A member shall direct his speech to the question under discussion or to a personal explanation or to a question of order.
- (d) No speech shall exceed 3 minutes, except by consent of the Council. (The mover of a motion is sometimes allowed a longer time than others.)
- (e) An amendment shall be:
- (i) to leave out words,
 - (ii) to leave out words and insert or add others,
 - (iii) to insert or add words.
- (f) An amendment shall not have the effect of reversing the motion before the Council.
- (g) If an amendment is carried, the motion, as amended, shall take the place of the original motion and shall become the motion upon which any further amendment may be moved.
- (h) A further amendment shall not be moved until the Council has disposed of every amendment previously moved.

- (i) The mover of a motion or an amendment shall have a right of reply.
- (j) A member, other than the mover of a motion, shall not, without leave of the Chairman, speak more than once on any motion except to move an amendment or further amendment, or on an amendment, or on a point of order, or in personal explanation, or to move the closure.
- (k) A member may rise to make a point of order or a personal explanation. A personal explanation shall be confined to some material part of a former speech by him which may have been misunderstood. A member rising for these purposes shall be heard forthwith and the councillor who was speaking shall be silent.
- (l) A motion or amendment may be withdrawn by the proposer.
- (m) When a motion is under debate no other motion shall be moved except the following:
 - (i) To amend the motion.
 - (ii) To proceed to the next business.
 - (iii) To adjourn the debate.
 - (iv) That the question be now put.
 - (v) That a member named be not further heard.
 - (vi) That a member named does leave the meeting.
 - (vii) That the motion be referred to a committee.
 - (viii) To exclude the public and press.
 - (ix) To adjourn the meeting.

32 A member shall raise his hand when requesting to speak and may stand when speaking if he so wishes.

33 (a) The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed.

(b) Members shall always address issues through the Chairman, including reference to other Councillors.

(c) If two or more members rise or raise their hands to speak, the Chairman shall call upon one of them to speak and the others shall resume their seats, lower their hands and remain silent. The chairman may acknowledge a raised hand and invite that member to speak next.

(d) Whenever the Chairman speaks during a debate all other members shall be seated and remain silent.

CLOSURE

34 At the end of any speech a member may, without comment, move "that the question be now put", "that the debate be now adjourned" or "that the Council do now adjourn". If such motion is seconded the Chairman shall put the motion but, in the case of a motion "to put the question", only if he is of the opinion that the question before the Council has been sufficiently debated. If the motion "that the question be now put" is carried, he shall call upon the mover to exercise or waive his right of reply and shall put the question immediately after that right has been exercised or waived. The adjournment of a debate or of the Council shall not prejudice the mover's right of reply at the resumption. Where a meeting is adjourned the subsequent proceedings are part of the original meeting and no

new notices or agendas need to be issued except a notification to all members of the date of the continuation of the meeting.

CODE OF CONDUCT AND INTERESTS

35. All Members must observe the Code of Conduct which was adopted by the Council on 28th June 2012, a copy of which is annexed to these Standing Orders.
36. Councillors with a disclosable pecuniary interest in relation to any item of business being transacted at a meeting may (i) make representations (ii) answer questions and (iii) give evidence relating to the business being transacted and must thereafter leave the Council Chamber.
37. Under requirements of the Localism Act 2011 (Sections 29-34) and The Relevant Authorities (Disclosable Pecuniary Interest) Regulations 2012, within 28 days of becoming a member or co-opted member, a notice of Disclosable Pecuniary Interests will be submitted to the Monitoring Officer of the District Council.
- 38 All members shall at all times show respect to the Chairman and to each other.
- 39 No member shall at a meeting persistently disregard the ruling of the Chairman, wilfully obstruct business, or behave irregularly, offensively, improperly or in such a manner as to **bring the Council into disrepute.**
- 40 If, in the opinion of the Chairman, a member has broken the provisions of Standing Order 39, the Chairman shall express that opinion to the Council and thereafter any member may move that the member named be no longer heard or that the member named do leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
- 41 If either Standing Order 39 or 40 is disobeyed, the Chairman may suspend the meeting to take such further steps as may reasonably be necessary to enforce them.
- 42 **The Clerk will compile and hold a Register of Member's Interests in accordance with agreement reached with the Monitoring Officer of the Responsible Authority and/or as required by statute.**

RIGHT OF REPLY

- 43 The mover of a motion shall have a right to reply immediately before the motion is put to the vote. If an amendment is proposed the mover of the amendment shall be entitled to reply immediately before the amendment is put to the vote. A member exercising a right of reply shall not introduce new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

ALTERATION OF MOTION

- 44 A member may, with the consent of his seconder, move amendments to his own motion.

REVERSING OF A PREVIOUS RESOLUTION

- 45 (a) A decision (whether affirmative or negative) of the Council shall not be reversed within six months except either by a special resolution, the written notice whereof bears the names of at least four members of the Council, or by a resolution passed

in pursuance of the report or recommendation of a committee.

- (b) When a special resolution or any other resolution passed under the provisions of paragraph (a) of this Order has been disposed of, no similar motion may be moved within a further six months.

VOTING ON MEMBER APPOINTMENTS

- 46 Where two members or more have been nominated for any position to be filled by the Council the presiding chairman shall call for votes for each of the nominations. Where there is not an absolute majority in favour of one person, the name of the member having the least number of votes shall be struck off the list and a fresh vote taken, and so on until a majority of votes is given in favour of one member. Any tie may be resolved by the Chairman's casting vote.

DOCUMENTS

- 47 A Councillor may, for the purpose of his duty as such (but not otherwise), inspect any document in possession of the Council or a committee, and shall, on request, be supplied for the like purpose with a copy.
- 48 **All approved Minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council or member of the public.**
- 49 (a) A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution.
- (b) **The Council's Common Seal shall alone be used for sealing documents. It shall be applied by the Proper Officer in the presence of two members, who shall sign the documents as witnesses.**

STANDING COMMITTEES AND SUB-COMMITTEES

- 50 The Council may at the Annual Meeting appoint Standing Committees to deal with Resources, Amenities and Planning matters. The Council may at any other time appoint such other committees as are necessary, but subject to any statutory provision in that behalf;
 - (a) shall not appoint any member of a Standing Committee so as to hold office later than the next Annual Meeting, and
 - (c) may at any time dissolve or alter the membership of a Standing Committee, subject to the provisions of Order 46 above.
- 51 Only members of the Council may be members of Standing Committees, with the exception of the Planning Committee, whereby non members may be appointed, but shall have no voting rights. The Chairman and Vice Chairman shall be ex-officio members of every Standing Committee.
- 52 Every Standing Committee shall at its first meeting before proceeding to any other business, elect a Chairman and may elect a Vice-Chairman who shall hold office until the next Annual Meeting of the Council.

- 53 The Chairman of a Standing Committee or the Chairman of the Council may summon an additional meeting of that Standing Committee at any time. An additional meeting shall also be summoned on the requisition in writing of no fewer than two members of the Standing Committee. The summons shall set out the business to be considered at the additional meeting and no other business shall be transacted at that meeting.
- 54 **If the Chairman of a committee or sub-committee does not or refuses to call an extraordinary meeting of the committee or sub-committee within seven days of having been requested to do so by two councillors, those two councillors may convene an extraordinary meeting of the committee or sub-committee. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two councillors.**
- 55 Every Standing Committee may appoint sub-committees for purposes to be specified by the Standing Committee. Membership of those sub-committees is not restricted to members of the appointing Standing Committee.
- 56 The Chairman and Vice-Chairman of the Standing Committee shall be *ex-officio* members of every sub-committee appointed by it unless they signify that they do not wish to serve.
- 57 Except where ordered by the Council in the case of a Standing Committee, or by the Council or by its Standing Committee in the case of a sub-committee, the quorum of a Standing Committee or sub-committee shall be three.
- 58 (a) The Standing Orders on rules of debate and Order of Business (except those parts relating to standing and to speaking more than once) and the Standing Order on interests of members in contracts and other matters shall apply to Standing Committee and sub-committee meetings.
- (b) Each Standing Committee and sub-committee shall have terms of reference drawn up by the Standing Committee and approved by resolution at Full Council.
- (c) Each Standing Committee has the power to resolve decisions on delegated functions.

ADVISORY GROUPS, WORKING PARTIES AND ACTION GROUPS

- 59 (a) There may be working parties, advisory groups and action groups whose name, number of members, and the bodies to be invited to nominate members shall be determined by a committee or the Council as and when necessary.
- (b) The Clerk shall inform the members of each advisory or action group and working party of its terms of reference and shall arrange and provide an agenda for its initial meeting. The Clerk shall provide secretarial support.
- (c) The Council's Liaison Group consists of the Chairman and Vice Chairman of the Council and Chairmen or their substitutes of the three Standing Committees. It reports to the Council.
- (d) An advisory group, action group or working party may make recommendations and give notice thereof to its parent committee or, in the case of the Liaison Group, to the Council.
- (e) An advisory group, action group or working party must include at least one

councillor.

VOTING IN COMMITTEES

- 60 Members of committees and sub-committees shall vote by show of hands, or, if at least two members so request, by signed ballot.
- 61 Chairmen of committees and sub-committees shall in the case of an equality of votes have a second or casting vote.

PRESENCE OF NON-MEMBERS OF COMMITTEES AT COMMITTEE MEETINGS

- 62 (a) A member who has proposed a motion which has been referred to any committee of which he is not a member, may explain his motion to the committee but shall not vote.
- (b) Any Council member, unless the Council otherwise decides, shall be entitled to be present as an observer at the meetings of any committee, sub-committee, advisory group, action group or working party of which he is not a member, but may only speak with the permission of the chairman and may not vote.

FINANCES

- 63 (a) Except as provided in Standing Order 66 or by statute, all accounts for payment and claims upon the Council shall be laid before the Council.
- (b) 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 officer responsible and shall be authorised by the chairman of the Council and the chairman on the appropriate committee.
- (c) All payments ratified under paragraph (b) of this Standing Order shall be separately included in the next schedule of payments laid before the Council.
- (d) The Clerk shall supply to each member of the Council as soon as possible after the end of the Financial Year an audited statement of the Council accounts.
- (e) The RFO shall supply to each councillor as soon as practicable after 31 March, 30 June, 30 September and 31 December in each year a statement summarising the Council's receipts and payments for each quarter and the balances held. This statement should include a comparison with the budget for the financial year. A financial statement prepared on the appropriate accounting basis for a year to 31 March shall be presented to each councillor before the end of the following month of May. The Statement of Accounts of the Council (which is subject to external audit), including the Annual Governance Statement, shall be presented to the Council for formal approval before 30 June.

EXPENDITURE

- 64 (a) The Council shall approve written estimates for the coming financial year at its meeting in the month of January.

- (c) Any committee desiring to incur expenditure shall, not later than November, give to the Clerk a written estimate of the expenditure recommended for the coming year.
 - (d) Once approved by the Council, committees may utilise those monies within the budget categories as deemed appropriate.
- 65
- (a) Any expenditure incurred by the Council shall be in accordance with the Council's financial regulations. Cheques for the payment of money shall be authorised by resolution of the Council and signed by a minimum of two members, who should also initial the cheque stub.
 - (b) All payments by the Council shall be authorised, approved and paid in accordance with the Council's financial regulations, which shall be reviewed annually.
 - (c) Any motion which, if carried, would increase expenditure or reduce revenue substantially, or which would involve capital expenditure, shall be referred to the Resources Committee, which shall report to the next ordinary meeting of the Council.
 - (d) The Council's financial regulations shall be reviewed once a year.
 - (e) 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 or sub-committee, or to an employee.

CONTRACTS

66. Procedures as to the contracts are laid down in the Council's Standing Orders as follows:

- a) Every contract whether made by the Council or by the Resources Committee to which the power of making contracts has been delegated shall comply with these Standing Orders, and no exception from any of the following provisions of these Standing Orders shall be made otherwise than by direction of the Council or in an emergency by such Member of the Resources Committee as aforesaid provided that these Standing Orders shall not apply to contracts which relate to (i) to (v) below:
 - (i) for the supply of insurance, refuse collection, photocopier, gas, electricity, water, sewerage and telephone services
 - (ii) for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants
 - (iii) for works to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant
 - (iv) for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Council
 - (v) for goods or materials proposed to be purchased which are proprietary articles and/or which are sold only at a fixed price.
- b) Where it is intended to enter into a contract:
 - 1) Exceeding £10,000 but not exceeding £25,000 in value for the supply of goods or materials or for the execution of works, the Town Clerk shall give at least three

days public notice of such intention in the same manner as public notice of meeting of the Council is given.

- 2) Exceeding £25,000 in value for the supply of goods or materials or for the execution of works or specialist services other than such goods, materials, works or specialist services as are excepted as set out in paragraph a) the Town Clerk shall invite tenders from at least three firms, such firms to be taken from the appropriate approved list if available. Similar notice shall be given in addition to all firms included in the appropriate standing approved list of contractors maintained by the District Council, or if no such list is maintained then in such newspaper circulation in the district as the Council shall direct.
 - 3) Where it is intended to enter into a contract of a value more than £4,000, three quotations shall be sought. If in the opinion of the Town Clerk and the Chairman of the Council, three quotations are unobtainable, the Council may make such arrangements for procuring the goods or materials or executing the works as it thinks fit.
- c) When applications are made to waive Standing Orders relating to contracts to enable a tender to be negotiated without competition the reason shall be embodied in the recommendation to the Council.
 - d) Such invitation to tender shall state the general nature of the intended contract and the Town Clerk shall obtain the necessary technical assistance to prepare a specification in appropriate cases. The invitation shall in addition state that tenders must be addressed to the Town Clerk and the last date by which such tenders should reach the Town Clerk in the ordinary course of post.
 - e) All sealed tenders shall be opened at the same time on the prescribed date by the Town Clerk or the properly authorised deputy.
 - f) If fewer than three tenders are received for contracts or if all the tenders are identical the Council may make such arrangements as it thinks fit for procuring the goods or materials or executing the works.
 - g) The Council shall not be obliged to accept the lowest or any tender.

67 Standing Orders numbers 90 and 91 shall apply to tenders as if the person making the tender were a candidate for appointment.

ACCESS TO INFORMATION

- 68
- (a) Reasons for excluding the public or press from the whole or part of a meeting will be given.
 - (b) Members of the public are allowed to inspect minutes, agendas and reports.
 - (c) Council members are allowed to see all Council documents.
 - (d) Documents open to inspection will be so at all reasonable hours free of charge; persons may make their own copies of, or extracts from, such documents free of charge, or may require a photographic copy or extract to be made by the Council for which a reasonable fee will be charged. Documents will not be permitted to be removed from the Council chambers.

- (e) A list of members of the Council, its committees and sub-committees will be kept and displayed.

69 **Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's prior written consent.**

ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

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

"That in view of the special/confidential nature of the business about to be transacted, it is advisable in the public interest that the public be temporarily excluded and they are instructed to withdraw."

(Notes: The special reasons should be stated. Circular 1/86 issued by the National Association of Local Councils deals with the situations where it is likely to be desirable to exclude the public. If a person's advice or assistance is needed they may be invited (by name) to remain after the exclusion resolution is passed.)

71 The Clerk shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present.

72 Members of the public, if invited to do so by the Chairman, may make representations, give evidence or answer questions.

73 If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, take whatever steps he deems necessary to remove the member of the public from the Council chamber or to clear that part of the chamber open to the public.

74 During the part of the meeting set aside for public participation, each member of the public is entitled to speak once in respect of business itemised on the agenda and shall not speak for more than 5 minutes.

75 In accordance with Standing Order 73 above, a question asked by a member of the public during a public participation session at a meeting shall not require a response or debate. 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.

76 A record of a public participation session at a meeting shall be included in the minutes of that meeting.

CONFIDENTIAL BUSINESS

77 (a) No member of the Council or of any committee or sub-committee shall disclose to any person not a member of the Council any business declared to be confidential by the Council, the committee or the sub-committee.

(b) Any member in breach of the provisions of paragraph (a) of this Standing Order shall be removed from the meeting of any committee or sub-committee of the

Council by the Council.

- (c) Papers on confidential matters will be marked 'CONFIDENTIAL' and/or will be sent by post to council members on pink paper.

LIAISON WITH COUNTY AND DISTRICT COUNCILLORS

- 78 A notice of meeting shall be sent together with an invitation to attend to the County Councillor for the county division and to the District Councillors for the ward.
- 79 Unless the Council otherwise orders, a copy of each letter ordered to be sent to the County or District Council shall be transmitted to the County Councillor for the division or to the District Councillors for the ward as the case may require.

PLANNING APPLICATIONS

- 80 (a) The Clerk shall, as soon as it is received, enter in a book kept for the purpose the following particulars of every planning application notified to the Council:
- (i) the date on which it was received;
 - (ii) the name of the applicant;
 - (iii) the place to which it relates;
 - (iv) a summary of the nature of the application.
- (b) The Clerk shall refer every planning application to the Chairman of the Planning Committee or in his absence to the Vice-Chairman within 48 hours of receiving it.
- (c) The Planning Committee shall have the authority, unless specifically directed otherwise by the Council, to respond on behalf of the Council to planning applications.

COMPLAINTS

- 81 The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or member in the manner recommended in circular 2/86 issued by the National Association of Local Councils.

STANDING ORDERS

- 82 (a) Upon election, each member will receive from the Clerk a copy of these Standing Orders and shall include acceptance of these Standing Orders in his Declaration of Acceptance of Office.
- (a) If it is considered that the Council is in breach of any of these Standing Orders, this shall be investigated at the next meeting of the Council.
- (c) In the event that a Major Incident is declared by the relevant authority, Non Mandatory Standing Orders may be suspended without notice if necessary.
- 83 Any or every part of the Standing Orders except those printed in **bold type** may be suspended by resolution in relation to any specific item of business, providing notice of the resolution and the reason for the proposed suspension have been issued to councillors at least one week beforehand.

- 84 A resolution permanently to add, vary, revoke or suspend any part of a non-statutory Standing Order shall be proposed by a special motion, the written notice thereof bears the names of two Councillors and, when proposed and seconded, stand adjourned without discussion to the next meeting of the Council.

COUNCIL EMPLOYEES

- 85 If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service, of any person employed by the Council, it shall not be considered until the Council or committee (as the case may be) has decided whether or not the public shall be excluded. (See Standing Order 71.)
- 86 The Council shall review the pay and conditions of service of existing employees and this should be completed no later than the meeting at which the estimates for the following year are decided. Standing Order 88 must be read in conjunction with this requirement.
- 87 (a) If a meeting considers any matter personal to a Council employee, it shall not be considered until the Liaison Group has decided whether or not the press and public shall be excluded pursuant to Standing Order 71 above.
- (b) Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior employee (or other employees) shall contact the Chairman, or in his absence the Vice Chairman of the SP&C sub-committee in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the SP&C sub-committee.
- (c) Any persons responsible for all or part of the management of the Council employees shall keep written records of all meetings relating to their performance, capabilities, grievance and disciplinary matters.
- (d) The Council shall keep written records relating to employees secure. All paper records shall be secured under lock and electronic records shall be password protected.
- (e) Records documenting reasons for an employee's absence due to ill health or details of a medical condition shall be made available only to those persons with responsibility for the same.
- (f) Only persons with line management responsibilities shall have access to employee records referred to in (c) & (d) of this order.
- 88 Paid appointments shall be made by a specially constituted appointments committee of the Council.
- 89 If a candidate for any paid appointment under the Council is to his knowledge related to any member of or the holder of any office under the Council, he and the person to whom he is related shall disclose the relationship in writing to the Clerk. A candidate who fails so to do shall be disqualified for such appointment, and, if appointed, may be dismissed without notice. The Clerk shall report to the Council or to the appropriate committee any such disclosure. Where relationship to a member is

disclosed this Standing Order shall apply.

- 90 Canvassing councillors directly or indirectly for appointments to or by the Council shall disqualify the candidate from such an appointment. The Proper Officer shall disclose the requirements of the standing order to every candidate.

GENERAL POWER OF COMPETENCE

- 91 (a) Before exercising the *General Power of Competence*, a meeting of the full Council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria required to qualify as an eligible parish council.
- (b) The Council's period of eligibility begins on the date that the resolution under Standing Order 91a above was made and expires on the day before the Annual Meeting of the Council that takes place in a year of ordinary elections.
- (c) After the expiry of its preceding period of eligibility, the Council continues to be an eligible council solely for the purpose of completing any activity undertaken in the exercise of the *Power of General Competence* which was not completed before the expiry of the Council's preceding period of eligibility referred to in standing order 86b above.