



STANDING ORDERS

Some of the following Standing Orders are compulsory as they are laid down in Acts of Parliament. These are printed in **BOLD** type. These standing orders cannot be altered.

1. Meetings of the Council and its Committees

- a. Meetings of the Council shall be held on the second and fourth Tuesday of every month, commencing at 7.00 pm unless the Council otherwise decides at a previous meeting.
- b. Smoking of any kind is not permitted at any meeting of the Council.
- c. **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.**
- d. **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
- e. **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice OR [The minimum three clear days' public notice of a meeting does not include the day on which the notice was issued or the day of the meeting].**

2. The Statutory Annual Meeting

- a. **In an election year the Annual Statutory Meeting shall be held on or within 14 days following the day on which the Councilors' are elected to take office and**
- b. **In a year which is not an election year the Annual Town Meeting 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.**

3. **In addition to the Statutory Annual Meeting, at least three other statutory meetings shall be held in each year on such dates and times and at such place as the Council may direct.**

4. Chairman of the Meeting

The Chair of the Council, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair of the Council (if there is one) if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a

councillor as chosen by the councillors present at the meeting shall preside at the meeting. *replaced original*

The Chair of the Council, unless he/she/they has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his/her/their successor is elected at the next annual meeting of the Council.

The Vice-Chair of the Council, if there is one, unless he/she/they resigns or becomes disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.

In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, he/she/they shall preside at the annual meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but shall give a casting vote in the case of an equality of votes.

5. Proper Officer

Where a statute, regulation or order confers function or duties on the proper officer of the Council in the following cases he/she shall be the Clerk or nominated officer:

- To receive declarations of acceptance of office
- To receive and record notices disclosing interests at meetings
- To receive and retain plans and documents
- To sign notices or other documents on behalf of the Council
- To receive copies of bylaws made by another local authority
- To certify copies of bylaws made by the Council
- To sign and issue the summons to attend meetings of the Council
- To keep proper records for all Council meetings

The Proper Officer shall:

- **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),**
- **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).**
 - **convene a meeting of the Council for the election of a new Chair of the Council, occasioned by a casual vacancy in his/her/their office;**
 - **facilitate inspection of the minute book by local government electors;**
 - **receive and retain copies of bylaws made by other local authorities;**

Execution And Sealing Of Legal Deeds

a. A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.

b. [Subject to standing order 23(a), the Council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of two councillors who shall sign the deed as witnesses.]

The above is applicable to a Council with a common seal.

OR

[Subject to standing order 23(a), any two councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.]

The above is applicable to a Council without a common seal.

6. **Quorum of the Council**

Three members or one third of the total membership, whichever is the greater, shall constitute a quorum at meetings of the Council. 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.

7. If a quorum of 5 Councillors' is not present or if during a meeting the number of councillors present (not counting those debarred by reason of a declared interest) falls below the required quorum, the **meeting shall be adjourned**, and business which is not transacted shall be transacted at the next meeting or on such other day as the Chairman may affix. *Added*

8. For a quorum relating to a committee or sub-committee, please refer to Standing Order 42.

9. **Voting**

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 his/her/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. *Replace addition.*

10. 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.

11. (1) Subject to (2) and (3) below the Chairman may give an original vote on any matter put to the vote, and in any case of an equality of votes must give a casting vote whether or not he/she gave an original vote.

(2) 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 Mayor and Deputy Mayor until the end of their term of office he/she may not give an original vote in an election for Mayor.

(3) The person presiding must give a casting vote whenever there is an equality of votes in an election for Mayor.

12. **Order of Business**

At each Annual Town Council Meeting the first business shall be:

a. To elect a Chairman of the Council.

- b. To receive the Chairman's declaration of acceptance of office or, if not 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 decide when any declarations of acceptance of office which have not been received as provided by law shall be received.
- e. To elect a Vice Chairman of the Council.
- f. To receive the Vice Chairman's declaration of acceptance of office or, if not received to decide when it shall be received.
- g. To appoint representatives to outside bodies.
- h. To appoint committees and sub-committees.
- i. For Committees to appoint the Chairman and Vice Chairman of those Committees.
- j. For the programme of meetings of those Committees to be approved for the municipal year.

and shall thereafter follow the order set out in the Standing Order 16.

- 13. At every meeting other than the Annual Council Meeting the first business shall be to appoint a Chairman if the Chairman and Vice Chairman be absent and to receive such declarations of acceptance of office (if any) 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.**
- 14. 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 service of existing employees. The Council shall be notified formally when this has been done.
- 15. Standing Order 34 must be read in conjunction with this requirement.
- 16. After the first business has been completed, the order of business shall be in the order set out in the Agenda unless the Council otherwise decides on the grounds of urgency, and shall be as follows:
 - a. To receive apologies from members not able to be present and the reasons for absence. To note absent members from whom no apology has been received.
 - b. To receive Declarations of Interests or to consider requests for dispensation.
 - c. To receive such communications as the person presiding may wish to lay before the Council.
 - d. To receive members' questions.
 - e. To adjourn for a period of up to 15 minutes to allow members of the public to put questions or to address the Council, through the Chairman, pertaining to matters

listed on the Agenda.

Each speaker will give their name to the Chairman prior to speaking, which will be recorded in the minutes, unless that person requests otherwise. Each Speaker will be allowed (one) three-minute slot.

- f. To read and consider 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.
- g. **After consideration to approve the signature of the Minutes by the Chair as a correct record.**
- h. To deal with matters arising from the Minutes unless such matters are specified on the agenda.
- i. **To deal with business expressly required by statute to be done.**
- j. To dispose of business, if any, remaining from the last meeting.
- k. To receive and consider reports and minutes of committees.
- l. To receive and consider resolutions or recommendations in the order in which they have been notified.
- m. To adjourn for a period of up to 15 minutes to allow members of the public to put questions or to address the Council, through the Chairman, in respect of any other business of the Town Council.
- n. Each speaker will give their name to the Chairman prior to speaking, which will be recorded in the minutes, unless that person requests otherwise. Each speaker will be allowed (one) three-minute slot.
- o. To authorise the sealing of documents.
- p. To receive at the last meeting every second month, a report of the Council's performance against the Business Plan.
- q. To receive a record of any previous minutes that remain to be actioned and of any decisions made by officers under delegation.

17. Urgent Business

A motion to vary the order of business on the grounds of urgency:

- a. may be proposed by the Chairman or by any member and, if proposed by the Chairman, may be put to the vote without being seconded, and
- b. shall be put to the vote without discussion.
- c. If a matter of genuine unexpected urgency arises, any necessary action may be decided by the Town Clerk in accordance with Terms of Reference and Delegation approved by the Council.

18. Resolutions Moved on Notice

Except as provided by these Standing Orders, no resolution 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 6 clear days before the next meeting of the Council.

19. The Clerk shall date every notice of resolution or recommendation from members 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 to the inspection of every member of the Council.
20. The Clerk shall insert in the summons for every meeting all notices of resolution or recommendation properly given in the order in which they have been received unless the member giving a notice of resolution has stated in writing that he/she intends to move at some later meeting or that he/she withdraws it.
21. If a resolution 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.
22. Every resolution or recommendation shall be relevant to some subject over which the Council has power or duties which affects its area.

23. Resolutions Moved without Notice

Resolutions dealing with the following matters may be moved without notice:

- a. To appoint a Chairman of the meeting.
- b. To correct the minutes.
- c. To approve the minutes.
- d. To alter the order of business.
- e. To proceed to the next business.
- f. To close or adjourn the debate.
- g. To refer a matter to a committee.
- h. To appoint a committee or any members thereof.
- i. To adopt a report.
- j. To authorise the sealing of documents.
- k. To amend a motion.
- l. To give leave to withdraw a resolution or amendment.
- m. To extend the time limit for speeches (See Order 28d below).

- n. To exclude the press and public (See Order 58 below).
- o. To silence or eject from the meeting a member named for misconduct (see Order 31 below).
- p. To give the consent of the Council where such consent is required by these Standing Orders.
- q. To suspend any Standing Order (see Order 69 below).
- r. To adjourn the meeting.

24. Questions

A member may ask the Chairman or the Clerk any question concerning the business of the Council.

- 25. No questions not connected with business under discussion shall be asked except during the part of the meeting set aside for questions.
- 26. Every question shall be put and answered without discussion.
- 27. A person to whom a question has been put may decline to answer.

28. Rules of Debate

No discussion of the minutes shall take place except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialed by the Chairman.

- 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 reduced to writing and handed to him/her before it is further discussed or put to the meeting.
- b. A member when seconding a resolution or amendment may, if he/she then declares his/her intention to do so, reserve his/her speech until a later period of the debate.
- c. A member shall direct his/her speech to the question under discussion to a personal explanation or to a question of order.
- d. No speech by a mover of a resolution shall exceed 3 minutes and no other speech shall exceed 3 minutes except by consent of the Council.
- e. An amendment shall be either:
 - i. To leave out words
 - ii. To leave out words and insert others
 - iii. To insert or add words
- f. An amendment shall not have the effect of negating the resolution before the Council.

- g. If an amendment be carried, the resolution, as amended, shall take the place of the original resolution and shall become the resolution 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 resolution or of an amendment shall have a right of reply, not exceeding 2 minutes.
- j. A member, other than the mover of a resolution, shall not, without leave of the Council, speak more than once on any resolution 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 a closure.
- k. The mover of a resolution shall have a right of reply immediately before the resolution 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.
- l. A member exercising a right of reply shall not introduce a new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion. A member may, with the consent of his seconder; move amendments to his/her own resolution.
- m. A member may speak on a point of order or a personal explanation. A member speaking for these purposes shall be heard forthwith. A personal explanation shall be confined to some material part of a former speech by him, her which may have been misunderstood.
- n. A motion or amendment may be withdrawn by the proposer with the consent of the Council, which shall be signified without discussion, and no member may speak upon it after permission has been asked for its withdrawal unless such permission has been refused.
- o. When a resolution is under debate no other resolution shall be moved except the following:
 - i. To amend the resolution
 - 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 leave the meeting
 - vii. That the resolution be referred to a committee
 - viii. To exclude the public and press
 - ix. To adjourn the meeting

29. Chairman

- 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 address the Chairman. If two or more members wish to speak,

the Chairman shall decide who to call upon.

- c. Whenever the Chairman speaks during a debate all other members shall be silent.
- d. Members wishing to speak should raise their hand until acknowledged by the Chairman of the meeting.

30. Closure

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 “that the question is now put”, only if he/she 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/she 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.

31. Disorderly Conduct

- a. **All members must observe the Code of Conduct currently adopted by the Council, a copy of which is included in the Constitution.**
- b. No member shall at a meeting persistently disregard the ruling of the Chairman, willfully obstruct business, or behave irregularly, offensively, improperly or **in such a manner as to bring the Council into disrepute.**
- c. If, in the opinion of the Chairman, if a member has broken the provisions of paragraph a. or b. of this Order, 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 forth with and without discussion.

If a member reasonably believes another member is in breach of the Code Conduct the member is under a duty to report that member to the Monitoring Officer for the Unitary Authority for a breach of Section 29 to 34 of the Localism Act 2011.

- d. If either of the motions mentioned in paragraph c. is disobeyed, the Chairman may adjourn the meeting or take such further steps as may reasonably be necessary to enforce them.

32. Rescission of Previous Resolution

- a. A decision (whether affirmative or negative) of the Council shall not be reversed within 6 months except by a special resolution, the written notice whereof bears the names of at least 5 members of the Council, or by a resolution moved in pursuance of the report or recommendation of a committee.
- b. When a special resolution or any other resolution moved under the provisions of paragraph a. of this Order has been disposed of, no similar resolution may be moved within a further six months.

33. Voting on Appointments

Where more than two persons have been nominated for any position to be filled by the Council and of the votes given there is not an absolute majority in favor of one person, the name of the person 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 favor of one person.

34. Discussions and Resolutions Affecting Employees of the Council

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 press and public shall be excluded. (See Standing Order No. 58).

35. Resolutions on Expenditure

- a. Any resolution (which is moved otherwise than in pursuance of a recommendation of the Finance and General Purposes Committee or of another committee after recommendation by the Finance and General Purposes Committee) and which, if carried, would, in the opinion of the Chairman, substantially increase the expenditure upon any service which is under the management of the Council or reduce the revenue at the disposal of any committee, or which would involve capital expenditure, shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council, and any committee affected by it shall consider whether it desires to report thereon (and the Finance and General Purposes Committee shall report on the financial aspect of the matters).
- b. In cases when borrowing is proven to be required, due process has been followed to secure a loan (i.e. Public Works Loan Board or other sources), prior to committing any spend from borrowing, the Council must specifically approve both the amount and purpose of the loan for that expenditure. For such expenditure, the provisions of Financial Regulations in relation to delegation of authority to Committees or Officers shall NOT apply. The approval of the Council should be re-sought if the Council is not contractually committed to the expenditure within 6 months.

36. Sealing of Documents

- a. A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution.
- b. Any two members of the Council, one of whom must be the Chairman or Vice Chairman may seal on behalf of the Council any document required by law to be issued under seal.
- c. Approved written minutes are the definitive record of the Town Council and the Town Councils Committees.

37. Committees and Sub Committees

The Council may at its Annual Meeting appoint standing committees and may at any other time appoint such other committees as are necessary, but subject to any statutory provision in that behalf:

- a. No Councillor may be appointed to a Committee unless they have completed the minimum training as prescribed. Additional training may be prescribed from time to time by resolution of the Council.
 - b. Standing Order 37 (a) will not apply to appointments made at the Annual Statutory Meeting immediately following and election.
 - c. For the purposes of Standing Order 37 (a) the prescribed minimum training is;
 - *Legal Requirements and Constraints – “New Councillor Induction Training” or “The Town Council and its Councillors” if induction training has been previously completed.*
 - *Local Council Finance - provided by accountants familiar with local government accounting and audit procedures.*

The listed training must have been completed no more than three years prior to the relevant Annual Meeting or since joining the Council if the Councillor has served for a period shorter than three years.
 - d. **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**
 - 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; and
 - g. May subject to the provisions of Standing Order 32 above at any time dissolve or alter the membership of committee.
- 38.** The Chairman and Vice Chairman, ex-officio, shall be voting members of every committee, unless they signify that they do not wish to serve.
- 39. Extraordinary meetings of the council and committees**
- 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 may convene an extraordinary meeting of the committee at any time.
 - d If the chairman of a committee does not call an extraordinary meeting within 7 days of having been requested to do so by two members of the committee, any 2 members of the committee may convene an extraordinary meeting of the committee.

40. Sub-Committees

Every committee may appoint sub-committees for purposes to be specified by the committee.

41. The Chairman and Vice-Chairman of the committee shall be members of every sub-committee appointed by it unless they signify that they do not wish to serve.

42. Except where ordered by the Council in the case of a committee, or by the Council or by the appropriate committee in the case of a sub-committee, the quorum of a committee or sub-committee shall be three or one third of its members whichever is the greater.

43. The Standing Orders on rules of debate (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 committee and sub-committee meetings.

44. Voting in Committees

Members of committees and sub-committees entitled to vote, shall vote by show of hands, or, if at least two members so request, by signed ballot.

45. Chairmen of committees and sub-committees shall in the case of an equality of votes have a second or casting vote.

46. Working Groups

The Council or a committee may create a working group to look at specific issues and to advise it accordingly. It must determine the terms of reference and membership. Usually a working group will operate on a task and finish basis. Voting will be as for a committee.

47. Presence of Non-Members of Committees at Committee Meetings

- a. A member who has proposed a resolution, which has been referred to any committee of which he/she is not a member, may explain his/her resolution to the committee but shall not vote.
- b. Any Council member shall, unless the Council otherwise orders, be entitled to be present as a spectator on the public benches at the meetings of any committee or sub-committee of which he/she is not a member, but he/she shall not be entitled to vote and he/shall not take part in the consideration of any business save by leave of the person presiding.
- 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.** *Addition*

48. Interests and Dispensations

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.

Members must disclose Interests as defined by the Code of Conduct currently adopted by the Council, as soon as it becomes apparent, disclosing the nature and extent of that interest.

- 49. The Clerk will be required to 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 the Localism Act 2011 Sections 29 to 34.**
- 50.**
- a. If a member has declared a Disclosable Pecuniary interest he/she must withdraw from the meeting during consideration of the item to which the interest relates. If the member has been granted a dispensation by the Council, he/she must still declare the interest but may take part in the discussion and vote.
 - b. Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.
 - c. **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
 - d. A decision as to whether to grant a dispensation shall be made by the Proper Officer, and that decision is final.
 - e. 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.
 - f. Subject to standing orders 13(c) and (e), a dispensation request shall be considered by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required OR at the beginning of the meeting of the Council, or committee or sub-committee for which the dispensation is required.
 - g. **A dispensation may be granted in accordance with standing order 50(d) if having regard to all relevant circumstances any of the following apply:**
 - 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.**

- h. Councillors must keep their registered interests up to date by completing the appropriate form and delivering this to the Town Clerk.
- i. The Clerk will send out forms prior to the Annual Statutory meeting each year, to give members the opportunity to update their interests in the Register if necessary.

- 51.** If a candidate for any appointment under the Council is to his/her knowledge related to any member of or the holder of any office under the Council, he/she and the person to whom he/she 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 and such disclosure. Where a relationship to a member is disclosed, Standing Orders 48 and 49 shall apply as appropriate.

The Clerk shall make known the purpose of Standing Order 52 to every candidate.

52. Canvassing of and Recommendations by Members

- i. Canvassing of members of the Council or of any committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make known the purport of this sub-paragraph of this Standing Order to every candidate.
- ii. A member of the Council or of any committee shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but nevertheless, any such member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.

- 53.** Standing Order No's 51 and 52 shall apply to tenders as if the person making the tender were a candidate for an appointment.

54. Inspection of Documents

A member may for the purpose of his/her duty as such (but not otherwise), inspect any document in possession of the Council or a committee and if copies are available shall, on request, be supplied for the like purpose with a copy.

- 55. All minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council.**

- 56.** All requests for information held by the Council shall be processed in accordance with the Council's Publication Scheme and Information Guide and the Freedom of Information Act 2000.

57. Unauthorised Activities

No individual member of the Council or of any committee or sub-committee shall in the name of or on behalf of the Council:

- a. inspect any lands or premises which the Council has a right or duty to inspect; or
- b. issue orders, instructions or directions or commit to any expenditure unless authorised to do so by the Council or the relevant committee or sub-committee.

58. Admission of the Public and Press to Meetings

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. *Original replaced.*

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

- 59.** The Council shall state the special reason for exclusion. (**Pursuant** to Section 1(2) of the public bodies (Admission to Meetings) Act 1960 Council resolve to exclude the public and press by reason of the confidential nature of the business about to be transacted).

Where the public are excluded from a meeting of a relevant government body under Subsection (2) the body may also prevent any person from reporting on the meeting using methods which can be used without that person's presence at the meeting and which will enable persons not present at the meeting to see or hear the proceedings at the meeting as it takes place later.

- 60.** At all meetings of the Council the Chairman may at his/her discretion and at a convenient time in the transaction of business, suspend standing orders so as to allow any members of the public or a representative of the local Constabulary to address the meeting in relation to the business to be transacted at that meeting.

- 62. Subject to standing order 3(m), 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. If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that he/she be removed from the meeting and may adjourn the meeting for such period as is necessary to restore order. *Replaced original.***

- a. **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
- b. **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.**
- c. **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair of the**

Council may in his/her/their absence be done by, to or before the Vice-Chair of the Council (if there is one).

63. Petitions

At any meeting any Member may present a petition, signed by persons other than Members of the Council, which is relevant to some matter for which the Council has a responsibility or which affects the Parish.

- a. A Member wishing to present a petition shall give notice of his/her intention to do so to the Town Clerk at least twenty-four hours before the beginning of the meeting at which it is to be presented.
- b. The presentation of a petition will last for no more than three minutes.
- c. No discussion will take place on any petition, but any Member may move that a matter raised be included on a future agenda.

64. Confidential Business

- 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 as the case may be.
- b. Any member in breach of the provisions of paragraph a. of this Standing Order shall be removed from any committee or sub-committee of the Council by the Council.

65. Liaison with Unitary Councillor's

A summons and Agenda for each meeting shall be sent to the Unitary Councillor for the appropriate division or ward.

66. Planning Applications

Planning applications received shall be considered by the first available meeting of the Council.

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 planning application number
- iii. the place to which it relates
- iv. the date of the committee at which it will be considered
- v. In the event of a planning amendment being received for consideration by the Council, where the amendment is a minor amendment related to a Planning Application that previously received **No Objection** from the Council, then the Clerk in consultation with or any three members of the Council, which should include either the Chairman or the Vice Chairman of the Council, may, if necessary, take a majority decision on the amendment without the need to summon a Council Meeting, such decision to be recorded at the next meeting of the Council.

67. Annual Town Meeting

- a. The Annual Town Meeting will be held in May each year.
- b. Proceedings shall not begin before 7.30. pm.
- c. The Chairman shall preside or in his/her absence the Vice Chairman.
- d. In the absence of the Chairman and the Vice Chairman the meeting shall appoint a Chairman before proceeding to any other business.
- e. The Clerk to the Council shall record the proceedings and in his/her absence the person presiding may record the proceedings or may appoint another to do so.
- f. The Minutes of the previous meeting shall be considered and, if correct, signed by the person presiding at the meeting.
- g. Subsequent business of the Annual Meeting shall be as follows:
 - i. To receive the Annual Report of the Town Council.
 - ii. To receive Statement of the Accounts for the year ended the previous 31st March.
 - iii. To receive the Council's observations on its finances for the current year.
 - iv. To consider items previously resolved by the Town Council to be added to the agenda.
 - v. Where 7 days' written notice has been given by Local Government Electors for this parish:
 - to consider subjects affecting this parish
 - to consider resolutions affecting this parish
 - vi. To receive reports from Unitary Authority Councillors'.
 - vii. To receive reports from the Chair of the Council Committees unless reports are included in the Annual Report and reports from Representatives of other bodies etc.
- h. Questions and comments can now be put by the Local Government Electors -the person presiding at the meeting may call upon Town Councillors', Unitary Authority Councillors', representatives of other bodies who are present to answer questions.
- i. Any relevant items raised to go to the next available meeting of the Council.

68. Code of Conduct on Complaints

The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or member in accordance with the Complaints Code and Vexatious Policy, except for those complaints which should be properly directed to the Monitoring Officer of the Unitary Council.

69. Variation, Revocation and Suspension of Standing Orders

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.

70. A resolution permanently to add, vary or revoke a Standing Order shall when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council, unless a written draft of the changes has been prepared by the Town Clerk and has been circulated with the Agenda.

71. **Standing Orders to be given to Members**

A copy of these Standing Orders shall be given to each member by the Town Clerk upon delivery to him/her of the member's declaration of acceptance of office and written undertaking to observe the Code of Conduct adopted by the Council or following any amendment or revision as part of the Constitution.

72. **Training and Development**

The Council will determine and execute an annual training plan for its Members.

73. **General Power of Competence**

- a. The General Power of Competence permits principal councils and eligible local councils to do anything that individuals generally may do. The Council will adopt this power when it becomes eligible.
- b. Before exercising the General Power of Competence, the full Council must have passed a resolution at an ordinary meeting, that they meet the relevant eligibility criteria: A Clerk who holds a recognised qualification and the number of Councillors elected at the last ordinary election or subsequent by-elections is equal to or exceeds two thirds of the total number of Councillors. If adopted, the General Power becomes the power of first resort.
- c. Local Councils are also required by regulation to pass a resolution at each subsequent relevant annual meeting that it meets the conditions of eligibility. Relevant annual meeting is the one following an ordinary election.

74. **Contracts**

Every contract relating to the sale or purchase of any land or buildings shall be in writing and be signed on behalf of the Council by the Proper Officer and the Chairman of the Council, or their deputies. Purchases of land should not be above the current market value as determined by the Council's appointed Valuer and sales of land should not be below the current market value as determined by the Council's appointed Valuer. Where this is not the case a report should be made to Council setting out the reasons for such variation, which may take into account any community benefits or justification on the grounds that it helps fulfil a wider objective of the Council.

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 referred to in standing order 18(f) is subject to the "light touch" arrangements under Regulations 109-114 of the Public Contracts Regulations 2015 unless it proposes to use an existing list of approved suppliers (framework agreement).
Addition

Where the value of a contract is likely to exceed the threshold specified by the Office of Government Commerce from time to time, the Council must consider whether the Public Contracts Regulations 2015 or the Utilities Contracts

Regulations 2016 apply to the contract and, if either of those Regulations apply, the Council must comply with procurement rules. NALC's procurement guidance contains further details. Addition

75. Every contract made by or on behalf of the Council shall comply with these Standing Orders and the Council's Financial Regulations. (see Financial Regulations 11).
76. Where tenders are required, one of the following methods shall be used:

Open competitive tender

Tenders shall be invited after giving at least 14 days' public notice in at least one local newspaper circulating in the area of the Authority and in such trade journals as the Town Clerk considers appropriate stating the nature and purpose of the contract, inviting tenders and stating the last date when tenders will be accepted.

Any notice issued shall contain a Statement of the effect of Standing Orders 51 & 52.

Ad hoc approved list

Tenders shall be invited after giving notice in the manner set out for Open Competitive tenders seeking applications to be placed on a list from which selected contractors will be invited to submit tenders.

Standing approved list

Tenders shall be invited from persons included in a list approved by the Council for the supply of goods or materials of specified categories values or amounts or for the carrying out of specified categories of work.

The list shall be compiled in the following manner:

- Notices inviting applications for inclusion in the list shall be published not less than 28 days before the list is compiled in at least one local newspaper and one trade journal.
- No person shall be included in the list unless, at the time of compilation of the list, the Responsible Financial Officer is satisfied as to his or her financial status and suitability.
- The approved list may be amended as required from time to time by the Council or Town Clerk under delegated authority and shall be reviewed at intervals not exceeding two years.

Approved list of another Council

Tenders shall be invited from persons included in a list approved by Central Bedfordshire Council for the supply of goods or materials of specified categories

values or amounts or for the carrying out of specified categories of work.

Established procurement specialist

Where large, high value tender exercises take place, in areas in which the Council have limited expertise, it may be necessary to engage the use of established procurement specialists. These specialists will undertake the tender process on behalf of the Council, subject to compliance with Financial Regulations for the opening of tenders.

77. Selection of Tenderers or Invitees

The selection of persons from whom tenders shall be invited shall be delegated to the Town Clerk in consultation with the Chairman of Finance and General Purposes Committee.

In inviting applications for inclusion in a list of approved tenderers or in selecting persons from whom tenders are to be invited, steps shall be taken to ensure fair competition. It may be necessary to supplement approved lists in cases where the specialist nature of the work or goods indicates that competition will be limited, subject to a resolution of Council which embodies the reason for doing so.

Where a contract will involve a design element, or in the case of other construction works, the chosen process may be varied minimally to ensure that the quality of the design is properly taken in to account.

78. Form of Invitation to tender and submission of tenders

A specification for the goods, materials, services or the execution of works shall be drawn up.

All tenders shall be required to be submitted on a Form of Tender approved by the Town Clerk. This Form shall include a statement that the Council will not be bound to accept any tender and reserves the right to accept a tender other than the one which is the lowest price or not to accept any tender at all.

The invitations to tender shall state that no tender will be considered unless contained in an unmarked plain sealed envelope and endorsed "Tender" followed by the subject to which it relates.

Every tender shall be addressed to the Town Clerk and the tender shall remain in his custody, or that of his nominated representative, until the time appointed for its opening.

79. Extension of time

Where the Town Clerk considers it to be in the best interests of the Council the time within which tenders must be received may be extended after giving written notice of such extension of time to all contractors.

80. Opening of tenders

All tenders for a contract shall be opened in accordance with the Financial Regulations.

The Town Clerk shall prepare and maintain a register of tenders received and shall record in that register the following particulars:

- the last date and time for the receipt of tenders.
- the date and time the tender was actually received.
- the name of the tenderer and the amount of the tender.
- the date and time they were opened and by whom.
- the signature of the officer to whom the tenders were handed after opening.

All persons required to be present at the opening of tenders shall immediately sign against the relevant particulars in the register and shall also sign each page of the tender as evidence of such tenders having been opened by them or in their presence.

Following the opening of tenders invited the Town Clerk shall write to all persons who were invited to tender but who failed to tender to ascertain the reasons for that failure.

81. Late tenders

Any tender received late will be returned promptly to the tenderer by the Town Clerk. A late tender which has been received may be opened in the presence of the two Members to ascertain the name and address of the tenderer, but no details of the tender shall be disclosed.

82. Errors and discrepancies

Where the tender reveals errors or discrepancies, which would affect the tender figure in an otherwise successful tender, the tenderer shall be told of the errors and discrepancies and given an opportunity of confirming, correcting or withdrawing the offer.

83. Acceptance of tenders

In accepting a tender, consideration will be given to price and quality. A suitable pre-determined price-quality model (Evaluation Model) will be devised by the Town Clerk or representative in accordance with the Council's Procurement Policy. Selection of the best tender will be based on this evaluation.

If no tenders are received or if all tenders are identical, the Council may make such arrangements for procuring the goods or materials or executing the works as it thinks fit.

84. Contracts to be in writing

Every contract which exceeds £5000 shall be in writing in a form approved by the Town Clerk.

85. Responsibilities to provide information

See also standing order 86.

- 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.**
- b. **The Council shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.**

86. Management of information

See also standing order 87.

- 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.

87. Responsibilities under data protection legislation.

(Below is not an exclusive list).

See also standing order 86.

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

88. Approval of Standing Orders

The foregoing Standing Orders were adopted by Biggleswade Town Council on -----
May 2018.

Town Mayor:

Clerk to the Council: