



## **STANDING ORDERS**

**Reviewed by Council 24<sup>th</sup> January 2017, minute 5970**

# 1 Meetings

Mandatory for full Council meetings •

Mandatory for committee meetings •

Mandatory for sub-committee meetings •

- a. **Meetings shall not take place in premises, which at the time of the meeting, are used for supply of alcohol unless no other premises are available free of charge or at a reasonable cost.**
- b. **When calculating the 3 clear days for notice of a meeting to councillors and the public, the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning shall not count.**
- c. **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- d. Subject to standing order 1(c) above, at the start of each Meeting of the Council and its Committees there shall be a period of time allowed for members of the public to make representation ask or answer questions and give evidence in respect of any matter within the competence of the Council. Similarly members of the public may present petitions and speak thereto, provided that the petition has been signed by persons from at least ten households. The period of time, which is at the Chairman's discretion shall not exceed 15 minutes.
- e. Subject to standing order 1 (d) above, each member of the public is entitled to speak once only in respect of business itemised on the agenda and shall not speak for more than 5 minutes.
- f. In accordance with standing order 1(d) 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.
- g. In accordance with standing order 1(f) above, 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 an employee for a written or oral response.
- h. A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- i. At all meetings of the Council, the Chair may, with the consent of the meeting, adjourn the meeting for a specified time to allow members of the public to address the meeting in relation to the business to be transacted at the meeting and to allow a more informal discussion to take place.

- j. Any person speaking at a meeting shall address his/her comments to the Chair. A person shall raise his/her hand when requesting to speak.
- k. Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chairman shall direct the order of speaking.
- l. If a member of the public interrupts the proceedings at any Meeting, the presiding Chair may, after warning, order that he be removed from the Council Chamber.
- m. **On 6<sup>th</sup> August 2014, the 1960 Act was amended by the openness of Local Government Bodies Regulations 2014 (the 2014 Regulations). The amended 1960 Act provides that a person may not orally report or comment about a meeting as it takes place if he is present at the meeting of a Parish Council or its committees but otherwise may:**
  - a) **Film, photograph or make an audio recording of a meeting.**
  - b) **Use any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later.**
  - c) **Report or comment on the proceedings in writing during or after a meeting or orally report or comment after the meeting.**
- n. **In accordance with Standing order 1(c) above, the press shall be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**
- o. **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.**
- p. **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 chosen by the Councillors present at the meeting shall preside at the meeting.**
- q. **Subject to standing order 1 (y) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.**
- r. **The Chairman may give an original vote on any matter out to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote. (see also standing orders 2 (i) and (j) below)**
- s. **Voting on any question shall be by a show of hands or, if at least two Members so request, by signed ballot. At the request of a Councillor, the voting on any question shall be recorded so as to show whether each Councillor present and voting gave his vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.**
- t. **The minutes of a meeting shall record the names of Councillors present and apologies for absence.**

- u. **The code of conduct adopted by Council shall apply to Councillors in respect of the entire meeting.**
- v. **An interest arising from the code of conduct adopted by the Council, the existence and nature of which is required to be disclosed by a Councillor at a meeting shall be recorded in the minutes. (see also standing orders 7 and 8 below).**
- w. **No business may be transacted at a meeting unless at least one third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than 3.**
- x. **If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be adjourned.** Any outstanding business of a meeting so adjourned shall be transacted at a following meeting.

## **2 Ordinary Council Meetings**

*See also standing order 1 above*

- a. **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the new Councillors elected take office.**
- b. **In a year which is not an election year, the annual meeting of a Council shall be held on such day in May as the Council may direct.**
- c. **If no other time is fixed, the annual meeting of the Council shall take place at 7pm.**
- d. **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council directs.**
- e. **The election of the Chair, who shall be the Town Mayor, and Vice-Chair, who shall be the Deputy Town Mayor, of the Council shall be the first business completed at the annual meeting of the Council.**
- f. **The Chair of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.** The Mayor is normally appointed for only one year.
- g. **The Vice-Chair of the Council, if any, unless he 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.**
- h. **In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, he shall preside at the 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 must give a casting vote in the case of equality of votes.**
- i. **In an election year, if the current Chair of the Council has been re-elected as a member of the Council, he shall preside at the meeting until a new Chair of the Council has been elected. He may exercise an original vote in respect of the election of the new Chair of the Council and must give a casting vote in the case of an equality of votes.**

- j. Following the election of the Chair of Council and Vice-Chair of the Council at the annual meeting of the Council, the order of business should be as follows:
  - i. In an election year, delivery by Councillors of their declarations of acceptance of office.
  - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council.
  - iii. Receipt of nominations to existing committees.
  - iv. Appointment of any new committees, confirmation of the terms of reference, the number of new members and receipt of nominations to them.
  - v. Review of representation on or work with external bodies and arrangements for reporting back.
  - vi. In a year of elections, if a Council's period of eligibility to exercise the power of well being expired the day before the annual meeting to review and make arrangements to reaffirm eligibility.
  - vii. Setting the dates, times and place of ordinary meetings of the full Council for the next year.

### 3 Proper Officer

- a. The Council's Proper Officer shall be the Clerk. The Proper Officer shall fulfil the duties assigned to the Proper Officer in standing orders or by statute, regulation or order. In the event of the absence of the Clerk the Deputy Town Clerk shall perform such of these functions as cannot wait until the Clerk returns.
- b. The Council's Proper Officer shall do the following:
  - i. Serve on councillors a summons confirming the time, date, venue and the agenda of a meeting of the Council and any Committee or sub-committee of at least 3 clear days before the meeting. This may be sent via email. Hard copies will be posted to those Councillors who request them.
  - ii. **Give public notice of the time, date, venue and agenda as least 3 clear days before a meeting of the Council or a meeting of a committee. (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them)**
  - iii. Subject to standing orders 4(a)-(e) below, include in the agenda all motions in the order received unless a councillor has given written notice at least 10 days before the meeting confirming his withdrawal of it.
  - iv. **Convene a meeting of full Council for the election of a new Chair of the Council, occasioned by a casual vacancy in his office, in accordance with these standing orders.**
  - v. Make available for inspection the minutes of meetings.
  - vi. **Receive and retain copies of byelaws made by other local authorities.**
  - vii. **Receive and retain declarations of acceptance of office from councillors.**
  - viii. Retain a copy of every councillor's register of interests and any changes to it and keep copies of the same available for inspection.
  - ix. Keep proper records required before and after meetings.
  - x. Process all requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council's procedures relating to the same.
  - xi. Manage the organisation, storage of an access to information held by the Council in paper and electronic form.
  - xii. Arrange for legal deeds to be signed by 2 councillors and witnessed.
  - xiii. Arrange for the prompt authorisation, approval and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations.
  - xv. Record the date on every planning application received.
  - xvi. Retain custody of the seal of the Council (if any) which shall not be used without a resolution to that effect.

- xvii. Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.

## **4 Motions requiring written notice**

- a. In accordance with standing order 3(b)(iii) above, no motion may be moved at a meeting unless the business to which it relates has been put on the Agenda by the Clerk or the mover has given written notice of its wording to the Council's Proper Officer at least 10 working days before the next meeting.
- b. The Proper Officer may, before including a motion in the agenda received in accordance with standing order 4(a) above, correct obvious grammatical or typographical errors in the wording of the motion.
- c. If the Proper Officer considers the wording of a motion received in accordance with standing order 4(a) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer in clear and certain language at least 10 days before the next meeting.
- d. If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Chair of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to consider whether the motion shall be included or rejected in the agenda.
- e. Having consulted the Chair or Councillors pursuant to standing order 4(d) above, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.
- f. Notice of every motion received in accordance with the Council's standing orders shall be dated and numbered in the order received and shall be filed and the file shall be open to inspection by Councillors.
- g. Every motion rejected in accordance with the Council's standing orders shall be duly recorded with a note by the Proper Officer giving reasons for its rejection in a file for that purpose, which shall be open to inspection by all Councillors.
- h. Every motion and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area or its residents.
- i. Subject to standing order 3(b)(iii) above, a motion included in an agenda not moved by the Councillor who tabled it, may be treated as withdrawn.

## **5 Motions not requiring a written notice**

- a. Motions in respect of the following matters may be moved without written notice.
  - i. To appoint a person to preside at a meeting.
  - ii. To approve the absence of Councillors.
  - iii. To approve the accuracy of the minutes of the previous meeting.
  - iv. To correct an inaccuracy in the minutes of the previous meeting.
  - v. To dispose of business, if any, remaining from the last meeting.
  - vi. To alter the order of business on the agenda for reasons of urgency or expedience.
  - vii. To proceed to the next business on the agenda.
  - viii. To close or adjourn debate.

- ix. To refer by formal delegation a matter to a committee or to a sub-committee or an employee.
- x. To appoint a committee or sub-committee or any Councillors thereto.
- xi. To receive nominations to a committee or sub-committee.
- xii. To dissolve a committee or sub-committee.
- xiii. To note the minutes of a meeting of a committee or sub-committee.
- xiv. To consider a report and/or recommendations from a committee or sub-committee.
- xv. To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
- xvi. To authorise legal deeds to be signed by two councillors and witnessed. (see standing orders 14(a) and (b) below)
- xvii. To authorise payments of monies.
- xviii. To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
- xix. To give leave to withdraw a resolution or an amendment.
- xx. To extend the time limit for speeches.
- xxi. To exclude the press and public for all or part of the meeting.
- xxii. To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
- xxiii. To give the consent of the Council if such consent is required by standing orders.
- xxiv. To suspend any standing order except those which are mandatory by law.**
- xxv. To adjourn the meeting.
- xxvi. To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
- xxvii. To answer questions from councillors.
- xxviii. To consider otherwise than in Committee a question affecting an employee of the Council. (see standing order 26).

B If a motion falls within the terms of reference of a committee or sub-committee or within the delegated powers conferred on an employee, a referral of the same may be made to such committee or sub-committee or employee provided that the Chair may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

## 6 Rules of debate

- a. Councillors shall address the presiding Chair.
- b. A Councillor shall indicate that he wishes to speak by raising a hand and Councillors shall be heard in the order in which they indicated. If two or more Councillors indicate at once, the presiding Chair shall call upon one of them to speak before the other.
- c. Whenever the presiding Chair speaks during a debate all other Councillors shall be silent.
- d. A resolution or amendment shall not be discussed unless it has been proposed and seconded, and unless proper notice has already given, it shall, if required by the presiding Chair, be reduced to writing and handed to him before it is further discussed or put to the meeting.
- e. A Councillor when seconding a resolution or amendment may, if he then declare his intention to do so, reserve his speech until a later period of the debate.
- f. A Councillor shall direct his speech to the question under discussion or to a personal explanation or to a point of order.

- g. No speech by a mover of a motion shall exceed 5 minutes except by consent of the Council and no other speech shall exceed 3 minutes except with such consent.
- h. A Councillor may move amendments to his own motion. If a motion has already been seconded, an amendment to it shall be with the consent of the seconder.
- i. Any amendments to a motion shall be either:
  - i. To leave out words;
  - ii. To add words;
  - iii. To leave out words and add other words.
- j. A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration.
- k. Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chair. No further amendment to a motion shall be moved until the previous amendment has been disposed of.
- l. Subject to standing order 6 (k) above, one or more amendments may be discussed together if the Chair considers this expedient but shall be voted on separately.
- m. Pursuant to standing order 6(k) above, the number of amendments to an original or substantive motion, which may be moved by a councillor is limited to one.
- n. If an amendment is not carried, other amendments shall be moved in the order directed by the Chair.
- o. If an amendment is carried, the original motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.
- p. The mover of a motion or the mover of an amendment shall have a right of reply, not exceeding 3 minutes.
- q. When a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply in respect of the substantive motion at the very end of debate and immediately before it is put to the vote.
- r. Subject to standing orders 6(p) and (q) above, a Councillor may not speak more than once in respect of any one motion except to move an amendment or further amendment, speak once on an amendment moved by another councillor or to make a point or order or to give a personal explanation, or to move a closure.
- s. During the debate of a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A Councillor raising a point of order shall identify the standing order which he considers has been breached or specify the irregularity in the meeting he is concerned by. A personal explanation shall be confined to some material part of a former speech by him which may have been misunderstood.
- t. A point of order, or the admissibility of a personal explanation shall be decided by the Chair and his decision shall be final.
- u. With the consent of the meeting, a motion or amendment may be withdrawn by the proposer. No councillor may speak upon the said motion or amendment unless permission for the withdrawal of the motion or amendment has been refused.

- v. Subject to standing order 6® above, when a councillor's motion is under debate no other motion shall be moved except:
  - i. to amend the motion;
  - ii. to proceed to the next business;
  - iii. to adjourn the debate to an agreed date;
  - iv. to put the motion to a vote;
  - v. to ask a person to be silent or for him to leave the meeting;
  - vi. to refer a motion to a committee or sub-committee for consideration;
  - vii. to exclude the public and press;
  - viii. to adjourn the meeting to an agreed date;
  - ix. to suspend any standing order, except those which are mandatory.
- w. In respect of standing order 6(v)(iv) above, the Chair shall first be satisfied that the motion has been sufficiently debated before it is seconded and put to the vote. The Chair shall call upon the mover of the motion under debate to exercise or waive his right of reply and shall put the motion to the vote after that right has been exercised or waived. The adjournment of a debate or of the meeting shall not prejudice the mover's right of reply at the resumption.

## **7 Code of conduct**

- a. **All Councillors shall observe the code of conduct adopted by the Council.**
- b. **Councillors may exercise the rights contained in standing order 7© below only if members of the public are permitted to (i) make representations, (ii) answer questions and (iii) give evidence relating to the business transacted.**
- c. **Councillors with a Pecuniary interest in relation to any item of business being transacted at a meeting must comply with the Code of Conduct adopted 13<sup>th</sup> August 2012 and leave the room or chamber.**

## **8 Questions**

- a. No questions not connected with the business under discussion shall be asked, except during the part of the meeting set aside for public questions and petitions as detailed above at standing order 1 (d-l).

## **9 Minutes**

- a. No discussion of the draft minutes of a preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the minutes shall be raised in accordance with standing order 5(a)(iv) above.
- b. Minutes, including any amendment to correct their accuracy shall be confirmed by resolution and shall be signed by the Chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.

## **10 Disorderly conduct**

- a. No person shall obstruct the transaction of business at a meeting or behave offensively or improperly.

- b. If in the opinion of the Chair, there has been a breach of standing order 10 (a) above, the Chair shall express that opinion and thereafter any councillor (including the Chair) may move that the person shall be silenced or excluded from the meeting and the motion, if seconded, shall be put forthwith and without discussion.
- c. If a resolution made in accordance with standing order 10(b) above, is disobeyed, the Chair may take such further steps as may reasonably be necessary to enforce it and/or he may adjourn the meeting.

## **11 Rescission of previous resolutions**

- a. A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months except either by special motion, the written notice whereof bears the names of at least nine councillors of the Council.
- b. When a special motion or any other motion moved pursuant to standing order 11 (a) above has been disposed of, no similar motion may be moved within a further 6 months.

## **12 Voting on Appointments**

- a. Where more than the required number of persons have been nominated for a position or positions to be filled by the Council, the position or positions shall be filled after a ballot conducted by single transferable vote. Any tie may be settled by the Chairman's casting vote.

## **13 Expenditure**

- a. Any expenditure incurred by the Council shall be in accordance with the Council's financial regulations.
- b. The Council's financial regulations shall be reviewed once a year.
- c. The Council's financial regulations may make provision for the authorisation of the payment of money in exercise of any of the Council's functions to be delegated to a committee, sub-committee or to an employee.

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

*See also standing order 5(a)(xvi)above*

- a. A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.
- b. **In accordance with a resolution made under standing order 14(a) above, any two members, may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.**

## 15 Committees

*See also standing order 1 above*

- a. The Council may, at its annual meeting, appoint standing committees and may at any other time appoint such other committees, or working parties to discharge particular business and to hold office until the task is complete and:
  - i. Shall determine their terms of reference;
  - ii. May permit committees and working parties to determine the dates of their meetings.
  - iii. Shall appoint and determine the term of office of councillor or non-councillor members of such a committee or working party (unless the appointment of non-councillors is prohibited by law) so as to hold office no later than the next annual meeting;
  - iv. May in accordance with standing orders, dissolve a committee or working party at any time.
- b. A working party may co-opt others to help it progress business to a point where a report is brought to Council for decision. A working party cannot make decisions that are binding upon the Council.
- c. Unless Council has named the Chair, every committee at its first meeting before proceeding to any other business, elect a Chair and may elect a Vice Chair.
- d. The standing orders on rule of debate shall apply to committee and sub-committee meetings.
- e. Members of committees wishing to submit items for inclusion on the Agenda shall consult the Chair of the committee concerned who will instruct the Clerk accordingly at least 14 clear days before the next meeting of the committee.
- f. Members of committees, sub-committees entitled to vote shall vote by show of hands, or, if at least two members so request, by signed ballot.
- g. Chairs of committees and sub-committees shall in the case of an equality of votes have a second or casting vote.

## 16 Sub-Committees

*See also standing order 1 above*

- a. Unless there is a Council resolution to the contrary, every committee may appoint a sub-committee and/or working party whose terms of reference and members shall be determined by resolution of the committee.

## 17 Extraordinary meetings

*See also standing order 1 above*

- a. **The Chair of the Council may convene an extraordinary meeting of the Council at any time.**
- b. **If the Chair of the Council does not or refuses to call an extraordinary meeting of the Council within 7 days of having been requested in writing 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 meeting must be signed by two councillors.**

- c. The Chair of a committee or sub-committee may convene an extraordinary meeting of the committee or sub-committee at any time.
- d. If the Chair of a committee or sub-committee does not or refuses to call an extraordinary meeting within 7 days of having been requested in writing to do so by two members of the committee or sub-committee, those two members may convene an extraordinary meeting of a committee or sub-committee. The statutory public notice giving the time, venue and agenda for such meeting must be signed by two councillors.

## **18 Advisory committees**

*See also standing order 1 above*

- a. The Council may appoint advisory committees comprised of a number of councillors and non-councillors.
- b. Advisory committees and any sub-committees may consist wholly of persons who are non-councillors.

## **19 Accounts and Financial Statement**

- a. All payments by the Council shall be authorised, approved and paid in accordance with the Council's financial regulations, which shall be reviewed annually.
- b. The Responsible Financial Officer shall supply to each Councillor a monthly statement summarising the Council's income and expenditure and the balances held. Quarterly accounts presented to council should include a comparison with the budget for the financial year. The Statement of Accounts of the Council (which is subject to external audit) including the annual governance statement shall be presented to Council for formal approval before 30<sup>th</sup> June.

## **20 Estimates/precepts**

- a. **The Council shall approve written estimates for the coming financial year** at its meeting in December.
- b. Any committee desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year no later than November.

## **21 Canvassing of and recommendations by councillors**

- a. Canvassing councillors or the members of a committee or sub-committee, directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such an appointment. The Proper Officer shall disclose the requirements of this standing order to every candidate.
- b. A councillor or a member of a committee or sub-committee shall not solicit a person for appointment to or by the Council or recommend a person for such appointment; but, nevertheless, any such person may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.

- c. This standing order shall apply to tenders as if the person making the tender were a candidate for an appointment.

## **22 Inspection of documents**

- a. Subject to standing orders to the contrary or in respect of matters which are confidential, a councillor may, for the purpose of his official duties (but not otherwise), inspect any document in the possession of the Council or a committee or a sub-committee, and request a copy for the same purpose which shall be supplied within two working days.
- b. The minutes of meetings of the Council, its committees or sub-committees shall be available for inspection by councillors.
- c. Except for those items considered in closed session under standing order 1c all minutes of council or committee meetings shall be available to interested members of the public.

## **23 Unauthorised activities**

- a. Unless authorised by a resolution, no individual councillor shall in the name or on behalf of the Council, a committee or sub-committee:
  - i. Inspect any land and/or premises which the Council has a right or duty to inspect:  
or
  - ii. Issue orders, instructions or directions.

## **24 Confidential business**

- a. Councillors shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature to any person not a member of the council.
- b. A councillor in breach of the provisions of standing order 24 (a) above may be removed from a committee or a sub-committee by a resolution of the Council.

## **25 Power of Well-being**

- a. **Before exercising the power to promote well-being, a meeting of the full Council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria required as an eligible parish council.**
- b. **The council's period of eligibility begins on the date that the resolution under Standing Order 81(a) above was made and ends 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 to promote well-being which was not completed before the expiry of the Council's preceding period of eligibility referred to in standing order 25(b) above.**

## **26 Matters affecting council employees**

- a. If a meeting considers any matters personal to Council employees, it shall not be considered until the council or the committee (as the case may be) has decided whether or not the press and public shall be excluded pursuant to standing order 1(c) above.
- b. Performance appraisal for all council employees will be carried out in accordance with the Council's policy.
- c. Disciplinary and grievance matters shall be handled in accordance with the Council's policy.
- d. The Council shall keep written records relating to employees secure. All paper 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 the Chairman and Clerk.
- f. Access and means of access by keys and/or computer passwords to records of employment shall be provided only to the Clerk, Deputy Clerk and Chairman.

## **27 Freedom of Information Act 2000**

- a. All requests for information held by the Council shall be processed in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000.

## **28 Relations with the press/media**

- a. All Requests from the press or other media for an oral or written statement or comment from the council shall be directed to the Clerk.
- b. Councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media on behalf of the Council.

## **29 Liaison with District and County Councillors**

- a. An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the councillors of the District and County Council representing electoral wards within the parish of Wincanton.
- b. Unless the Council otherwise orders, a copy of each letter ordered to be sent to the District and County Council shall be sent to the District or County councillor representing the relevant electoral ward within the parish of Wincanton.

## **30 Financial Matters**

- a. The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
  - i. The accounting records and systems of internal controls
  - ii. The assessment and management of financial risks faced by the council.

- iii. The work of the internal auditor and the receipt of regular reports from the internal auditor, which shall be required at least annually;
  - iv. The inspection and copying by councillors and local electors of the Council's accounts and/or orders of payment.
  - v. Procurement policies including the setting of values for different procedures where the contract has an estimated value of less than £50,000.
- b. Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £50,000 shall be procured on the basis of a formal tender as summarised in the Council's Financial Regulations.**
- c. Where the value of a contract is likely to exceed £138,893 (or other threshold specified by the Office of Government Commerce from time to time) the Council must consider whether the Public Contracts Regulations 2006 (SI No.5 as amended) and the Utilities Contracts Regulations 2006 (SI No.6 as amended) apply to the contract and, if either of those Regulations apply, the Council must comply with EU procurement rules.**

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

- a. On receipt of a notification that there has been an alleged breach of the code of conduct, the Proper Officer shall refer it to the Full Council.
- b. Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chair of that fact, who, upon receipt of such notification shall nominate a person to assume the duties of the Proper Officer set out in the remainder of this standing order, who shall continue to act in respect of that matter as such until the complaint is resolved.
- c. Where a complaint has been made by an employee (not being the Proper Officer) the Proper Officer shall ensure that the employee in question does not deal with any aspect of the complaint.
- d. The subject matter of notifications shall be confidential and insofar as it is possible to do so by law, the Council (including Proper Officer and the Chair of Council) shall take steps set out below, together with other steps considered necessary, to maintain confidentiality:
  - i. Draft the summonses and agendas in such a way that the identity and subject matter of the complaint are not disclosed;
  - ii. Ensure that any background papers containing the information set out in standing order 31(a) above are not made public.
  - iii. Ensure that the public and press are excluded from meetings as appropriate;
  - iv. Ensure the minutes of meetings preserve confidentiality;
  - v. Consider any liaison that may be required with the person or body with statutory responsibility for the investigation of the matter.
- e. Standing order 31(d) above should not be taken to prohibit the Council (whether through the Proper Officer or the Chair of Council or otherwise) from disclosing information to members and officers of the council or to other persons where such disclosure is necessary to deal with the complaint or is required by law.
- f. Council shall have the power to:
  - i. Seek documentary and other evidence from the person or body with statutory responsibility for investigation of the matter;
  - ii. Seek and share information relevant to the complaint;

- iii. Grant the member involved a financial indemnity in respect of legal costs, which shall be in accordance with the law and subject to approval by a meeting of the full council.
- g. References in standing order 31 to a notification shall be taken to refer a communication of any kind which relates to a breach or an alleged breach of the code of conduct by a councillor.

## **32 Variation, revocation and suspension of standing order**

- a. Any of every part of the standing orders, except those printed in bold type which are mandatory by law, may be suspended by resolution in relation to any specific item of business.
- b. A motion to permanently add to or to vary or to revoke one or more of the Council's standing orders not mandatory by law shall not be carried unless two thirds of the councillors at a meeting of the Council vote in favour of the same.

## **33 Standing orders to be given to councillors**

- a. The Proper Officer shall provide a copy of the Council's standing orders to a councillor upon delivery of his declaration of acceptance of office.
- b. The Chair's decision as to the application of standing orders at meetings shall be final.
- c. A councillor's failure to observe standing orders more than 3 times in one meeting may result in him being excluded from the meeting in accordance with standing orders.

## **34 Freedom of the Town**

Freedom of the Town may be granted annually to organisations and individuals.