

Standing Orders For Thornaby Town Council



Meetings of the Council

1. Meetings of the Council shall be held on such dates, times and place as the Council may direct, provided that:
 - (a) The proper three clear working weekday's statutory notice shall be given; and the AGM is per Standing Order 2.
 - (b) Smoking is not permitted at any meeting of the Council or at any meeting of any appointed body of the Council.
2. **The Statutory Annual Meeting shall be held on a day and time to be fixed by the Council in accordance with Paragraph 1 of Schedule 12 of the Local Government Act 1992 and Standing Orders 1(a), 6(d) and 6(g).**
3. **The Council shall every year hold, in addition to the Statutory Annual Meeting, such other statutory meetings (not less than three) as determined by the Council, provided that all meetings of the Council are subject to statutory notice in accordance with Standing Orders 1(a), 6(d) and 6(g).**

Additional Meetings of the Council

4.
 - (a) The Chairman or Vice-Chairman of the Council may summon an extraordinary meeting of the Council at any time, subject to Standing Orders 1(a) and 6(g).
 - (b) In addition, a minimum of two members can sign a requisition to convene an extraordinary meeting of the Council. If the Chairman (or Vice-Chairman in the absence of the Chairman) fails to call a meeting to take place within six days, excluding Sunday, of receiving a requisition, the summons to call a meeting shall be implemented per Standing Orders 1(a) and 6(g).
 - (c) The notice shall be signed by those members and shall specify the business proposed to be transacted at the meeting; the summons to attend the meeting, signed by the proper officer, shall be sent to the usual residence of every member of the Council and shall set out the business to be considered at the special meeting and no other business shall be transacted.

Chairman of the Meeting

- 5 **The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the Meeting.**

Proper Officer

6. Where a statute, regulation, or order confers functions or duties on the proper officer of the Council, the said proper officer shall, in the following cases, be the Clerk or nominated officer:
 - (a) To receive declarations of acceptance of office (see 12(b)).
 - (b) To receive and record notices disclosing interests (see 57-59).
 - (c) To receive and retain plans and documents (see 6(ii) and 72).

- (d) To sign notices or other documents on behalf of the Council (see 1(a)).
- (e) To receive copies of bylaws made by another local authority.
- (f) To certify copies of bylaws made by the Council.
- (g) To sign and issues summons to attend meetings of the Council (see 17).
- (h) To keep proper records for all Council Meetings (see 15, 49 and 50).

In any other case the proper officer shall be the person nominated by the Council and, in default of nomination, the Clerk.

Delegation to the Proper Officer

The Clerk, or nominated officer, may, in consultation with the Chairman and/or Vice-Chairman or the Chairman and/or Vice-Chairman of the relevant standing committee, or, if all unavailable, any two councillors, exercise necessary executive powers pertaining to:

- (i) the organisation of public events in co-ordination with the Council and its relevant appointed bodies;
- (ii) statutory planning consultation on behalf of the Council in accordance with Standing Order 72;
- (iii) maintenance of Council services, subject to Standing Orders 54 and 73, from a budget agreed by the Council; subject to and in accordance with the decided policy of the Council

Records of such delegated decisions must be kept and put to the next meeting of the Council or relevant standing committee.

Notwithstanding the above, the Council shall hold and may exercise all delegated powers subject to Standing Orders.

The Council may not delegate a decision to the Chairman or Vice-Chairman or any individual councillor. Such practice is contrary to law. Standing Orders require delegated decisions to be taken after consultation but the decision remains with the officer.

Quorum of the Council

7. Five members shall constitute a quorum.

8. If a quorum is not present when the Council is meeting, or if during a meeting the number of Councillors present and not debarred by reason of a declared interest as defined by the Code of Conduct, falls below the quorum, the business not transacted at the meeting shall be transacted at the next meeting or, subject to Standing Order 4, on such other day as the Chairman may fix.

Voting

9. Members shall vote by a show of hands, or, if at least two members so request, by signed ballot, provided no member requests the vote be recorded in accordance with Standing Order 10.

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 the question. Such a request must be made before moving on to the next business.

11. (a) Subject to (b) and (c) below the Chairman may give an original vote on any matter put to the vote and in the case of an equality of votes may give a casting vote despite having given an original vote.

(b) If the person presiding at the annual meeting would have ceased to be a member of the council but for the statutory provisions which preserve the membership of the Chairman and Vice-Chairman until the end of their term of office they may not give an original vote in an election for Chairman.

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

Annual Meeting First Business

In an election year councillors should execute Declarations of Acceptance of Office in each others' presence, or in the presence of a proper officer previously authorised by the Council to take such a declaration, before the Annual Meeting commences.

12. The first business of each Annual Meeting shall be as follows:

- (a) To elect a Chairman of the Council.**
- (b) To receive the Chairman's declaration of acceptance of office or, if not then received, to decide when it shall be received.**
- (c) In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.**
- (d) To decide when any declarations of acceptance of office and written undertakings to observe the approved Code of Conduct which have not been received as provided by law shall be received.**
 - (e) To elect a Vice-Chairman of the Council.
 - (f) To appoint representatives to outside bodies.
 - (g) To appoint school governors.
 - (h) To appoint committees, sub-committees and other appointed bodies of the Council.
 - (i) To consider the payment of any subscriptions falling to be paid annually.
 - (j) To inspect any deeds and trust instruments in the custody of the council.

Thereafter shall follow the order set out in Standing Order 15 as required.

13. At every meeting other than the Annual 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 approved Code of Conduct as are required by law to be made, or if not then received to decide when they shall be received.

Pay and Conditions of Service

14 In every year not later than the meeting at which its estimates for next year are settled the Council shall review the pay and conditions of service of existing employees; this shall be considered in accordance with Standing Orders 38 and 66.

Usual Order of Business

15. After the first business has been completed (in accordance with Standing Order 13), the order of business, unless the Council otherwise decides on the grounds of urgency (per Standing Order 16), shall be as follows:

- (a) To consider the Minutes (per Standing Order 28).
- (b) After consideration, to approve the signature of the Minutes by the person presiding as a correct record.**
- (c) To deal with business expressly required by statute to be done.**
- (d) To dispose of business, if any, remaining from the last meeting.
- (e) To receive such communications as the person presiding may wish to lay before the Council.
- (f) To answer questions from Councillors (see 25).
- (g) To receive and consider reports and Minutes of committees or other appointed bodies of the Council.
- (h) To receive and consider reports from officers of the Council (see 6).
- (i) To authorise the sealing of documents (per Standing Order 41).
- (j) To authorise the signing of orders for payment (per Standing Order 40).
- (k) To consider resolutions or recommendations in the order in which they have been notified.
- (l) Any other business specified in the summons shall be for discussion only (see 17).

Minutes of Annual Meetings shall be considered and signed at the next ordinary meeting in the same way as other Minutes.

Proper Minutes must be kept; in general they may be as short as is consistent with clarity and accuracy and record the decisions, not the prior discussions and reasoning used to arrive at a decision, unless the decision cannot be clearly expressed any other way.

- 16.** A motion to vary the order of business (per Standing Order 15 above) 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.

Resolutions Moved on Notice

17. Except as provided by these Standing Orders (refer Standing Order 23), no resolution may be moved unless the business to which it relates (subject to Standing Order 22), 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 six clear days, excluding Sunday, before the next meeting of the Council. Matters Arising, Correspondence or Any Other Business shall be used for information purposes and such decisions as would have neither expenditure nor legal consequences and which cannot, due to urgency, be referred to a subsequent meeting.

The summons (agenda) to a meeting of a Local Council must by law specify the business to be transacted; a Local Council cannot legally decide to take any action under a general heading such as 'Any Other Business' because those words do not specify any item of business. The rule prevents the Council deciding any business which will have either expenditure consequences or lead the Council into a legal situation.

18. The Clerk shall date and number every notice of resolution or recommendation in the order in which it was received and such records shall be open to inspection by every member of the Council.

19. The Clerk shall insert in the summons for every meeting all notices of motion or recommendation properly given in the order in which they have been received, unless a member giving a notice of motion has stated in writing their intention to move at some later meeting or withdraws it.

20. 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.

21. If the subject matter of a resolution comes within the province of a committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to such committee or to such other committee as the Council may determine for report; provided that, if the Chairman considers it to be a matter of urgency, it may be dealt with at the meeting at which it was moved, subject to Standing Order 17 above.

22. Every resolution or recommendation shall be relevant to some subject over which the Council has power or which affects its area.

Resolutions Moved Without Notice

23. Resolutions on 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 or other body.
- (h) To appoint a committee or other body or any members thereof.
- (i) To adopt a report.
- (j) To authorise the sealing of documents.
- (k) To amend a resolution.
- (l) To give leave to withdraw a resolution or an amendment.

- (m) To extend the time limit for speeches.
- (n) To exclude the press and public.
- (o) To silence or eject from the meeting a member named for misconduct.
- (p) To invite a member having an interest in the subject matter under debate to remain.
- (q) To give the consent of the Council where required by these Standing Orders.
- (r) To suspend Standing Orders, subject to Standing Order 75.
- (s) To adjourn the meeting.

Questions

- 24.** A member may ask the Chairman or the Clerk any questions concerning the business of the Council, provided notice of the question has been given to the person to whom it is addressed before the meeting begins.
- 25.** No questions not connected with business under discussion shall be asked except during the part of the meeting set aside for questions per Standing Order 15(f).
- 26.** Every question shall be put and answered without discussion.
- 27.** A person to whom a question has been put may decline to answer.

Rules of Debate

- 28.** (a) Provided that each member receives a copy by the day of the summons, Minutes may be considered as read.
- (b) No discussion shall take place upon the Minutes except upon their accuracy.
 - (c) Corrections to the Minutes shall be made by resolution and must be initialled by the Chairman.
- 29.** (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 given to the Chairman in writing before it is further discussed or put to the meeting.
- (b) A member when seconding a resolution or amendment may, by stating such an intention, reserve their speech until a later period of the debate.
 - (c) A member shall direct any speech to the question under discussion or to a personal explanation or to a point or question of order (see Standing Order 30). 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 the member, which may have been misunderstood.
 - (d) No speech by a mover of a resolution shall exceed five minutes, and no other speech shall exceed three 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 or add 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 three 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) 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.
 - (l) 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 (per Standing Order 31);
- (iv) that the question be now put (per Standing Order 31);
- (v) that a member named be not further heard;
- (vi) that a member named does leave the meeting;
- (vii) that the resolution be referred to a committee;
- (viii) to exclude the public and press (per Standing Order 66);
- (ix) to adjourn the meeting.

- 30.** (a) Rulings 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.
 - (c) If two or more members wish to speak, the Chairman shall decide who to call upon.
 - (d) Whenever the Chairman speaks during a debate all other members shall be silent.

The Chairman's rulings must be obeyed by an individual councillor because they are the rulings of the Council itself. However, the Chairman cannot overrule the Council and a councillor who is dissatisfied by the Chairman's ruling may invite the Council to disagree with it. Such appeals against the chair should normally be very rare.

Closure and Adjournment

- 31.** (a) 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'.
- (b) If such motion is seconded, the Chairman shall put the motion, but, in the case of a motion 'to put the question', only if the Chairman is of the opinion that the question before the Council has been sufficiently debated.
 - (c) If the motion 'that the question now be put' is carried, the Chairman shall call upon the mover to exercise or waive their right of reply and shall put the question immediately after that right has been exercised or waived.
 - (d) The adjournment of a debate or of the Council shall not prejudice the mover's right of reply at the resumption.
 - (e) Where a meeting is adjourned, the subsequent proceedings are part of the original meeting and no new notice or agenda need be issued except a notification to members not present of the date of the continuation of the meeting.

Code of Conduct

- 32.** All members must observe the Model Code of Conduct (adopted by the Council on 30th July 2007) annexed to these Standing Orders.

Refer Standing Order 57(a) on Interest and the Code of Conduct.

Disorderly Conduct

- 33.** (a) No member shall at a meeting persistently disregard the ruling of the Chairman, wilfully obstruct business, or behave irregularly, offensively or improperly or in such a manner as to bring the Council in to disrepute.
- (b) If, in the opinion of the Chairman a member has acted in a manner contrary to that required, the Chairman shall express that opinion to the Council and thereafter any member may move that the member named be no longer heard or that the member named do leave the meeting and the motion, if seconded, shall be put forthwith and without discussion.
 - (c) If the motion in sub-paragraph (b) immediately above is disobeyed, the Chairman may adjourn the meeting or take such further steps as may reasonably be necessary to enforce them.

Refer Standing Order 69 in respect of members of the public.

Right to Reply

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

Alteration of Resolution

- 35.** A member may, with consent of the seconder, move amendments to their own resolution, subject to Standing Orders 17-22.

Rescinding a Previous Resolution

- 36.** (a) A decision, whether affirmative or negative, of the Council shall not be reversed within six months except either by a special resolution, the written notice whereof bears the names of a least two members of the Council, or be 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 provision of paragraph (a) of this Order has been disposed of, no similar resolution may be moved within a further six months.

Voting on Appointments

- 37.** 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 favour 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 favour of one person. Refer Standing Order 38 below.

Discussions and Resolutions Affecting Employees of the Council

- 38.** 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 (refer Standing Orders 14, 37, 60 and 61), it shall not be considered until the Council, committee or sub-committee, as the case may be, has decided whether or not the public shall be excluded (per Standing Order 66).

Also see Standing Order 70: Confidential Business.

Resolutions on Expenditure

- 39.** Any resolution which is moved, otherwise than in pursuance of a recommendation of the Finance Committee or of another committee after recommendation by the Finance 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, 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; any committee affected by it shall consider whether it desires to report thereon and the Finance Committee shall report on the financial aspect of the matter.

Expenditure

- 40.** Orders for the payment of money shall be authorised by resolution of the Council and signed by two members.

Sealing of Documents

- 41.** (a) A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution.
- (b) The Council's Common Seal shall alone be used for sealing documents. It shall be applied by the proper officer in the presence of two members who shall sign as witnesses any such authorised document required by law to be issued under seal.

Committees, Sub-Committees and Other Appointed Bodies of The Council

- 42.** (a) The Council may at its Annual Meeting appoint standing committees and may at any other time appoint such committees, sub-committees or other appointed bodies as may be necessary but, subject to any statutory provision in that behalf:
- (i) shall not appoint any member of a committee, sub-committee, group, panel, working party, or any other body, so as to hold office later than the next Annual Meeting;
- (ii) may appoint persons other than members of the Council to a committee (other than a finance committee), sub-committee, or other body, but they shall have no vote;
- (iii) may, subject to Standing Order 36, at any time dissolve or alter the membership of any of its appointed bodies;
- (iv) may, subject to paragraph (i) above, where a working party, panel or other group is appointed, establish particular terms of reference and a closing date by which it should complete its business;
- (v) may subsequently extend a set closing date by resolution of the Council;
- (vi) may agree a set budget for each standing committee (subject to Standing Orders 42(b), 56(b) and 73), over which each standing committee may exercise respective plenary powers.
- (b) The Council shall hold and may exercise all powers granted to committees.
- (c) The public and press shall be admitted to all committees, including advisory and sub-committees, per Standing Order 66.

Committee, Sub-Committee and Advisory Committee Procedure

- 43.** The Council Chairman and Vice-Chairman ex-officio shall be voting members of every committee.
- 44.** Every committee, sub-committee and advisory committee shall at its first meeting, before proceeding to other business, elect a Chairman and may elect a Vice-Chairman who shall hold office until the next Annual Meeting of the Council, and shall settle its programme of meetings for the year provided such meetings be in accordance with Standing Order 1(a).

Additional Meetings of Committees, Sub-Committees and Advisory Committees

- 45.** The Chairman of a committee or sub-committee or the Chairman of the Council may summon an additional meeting of that committee or sub-committee at any time, provided it be in accordance with Standing Order 1(a). An additional meeting shall also be summoned on the requisition in writing of not less than a quarter of the members of the committee or sub-committee. If the Chairman of a committee or sub-committee, or the Chairman of the Council fails to call a meeting of that committee or sub-committee within six days, excluding Sunday, of receiving a summons, the summons to call a meeting shall be implemented per Standing Order 1(a). The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.

Sub-Committees

- 46.** Every committee may, subject to Standing Order 17, appoint sub-committees for purposes specified by the committee.
- 47.** The Chairman and Vice-Chairman of the committee may be members of every sub-committee appointed by it unless they signify that they do not wish to serve.

Quorum of Committees, Sub-Committees and Advisory Committees

48. 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 or advisory committee shall be one-half of its members.

Rules of Debate in Committees, Sub-Committees and Advisory Committees

49. The Standing Orders on rules of debate (Nos.28-39 above), except those parts relating to speaking more than once, and interest of members in contracts and other matters including observance of the Council's adopted Code of Conduct, shall apply to all committee and sub-committee meetings. Minutes of every committee and sub-committee must be kept. Where Minutes of the previous meeting have already been approved at a meeting of the full Council, Matters Arising from those Minutes shall be considered to allow for information updates and reports of progress per Standing Order 28(c).

Advisory Committees

50. (a) The Council may, subject to Standing Order 42, create advisory committees whose names and number of members and the bodies to be invited to nominate members shall be specified, and the following shall be observed:

- (i) the Clerk shall inform the members of each advisory committee of its terms of reference;
- (ii) an advisory committee may make recommendations and give notice thereof to the Council;
- (iii) an advisory committee may consist wholly of persons who are not members of the Council;
- (iv) meetings of advisory committees shall be held in public at the Council's normal place of business;
- (v) advisory committees shall publish public notice, agenda and minutes for each meeting.

Council decisions shall not be delegated to any advisory committee which in law cannot take decisions binding on the Council.

Other Appointed Bodies of The Council

(b) The Council may, subject to Standing Order 42, appoint advisory fact-finding and liaison bodies:

i.e. working parties, specialist working groups, consultation groups and interview and arbitration panels:

- (i) meetings may be informal and not subject to council rules of debate or held in public;
- (ii) there need be no agenda other than topics to discuss but there may be a 'note' of each meeting;
- (iii) on reaching its conclusions, a Report shall be presented to the Council or relevant committee;
- (iv) recommendations of such bodies must be agreed by a minimum of two of its members.

Council decisions shall not be delegated to any such informal body, which in law cannot take decisions binding on the Council.

Voting in Committees and Sub-Committees

51. Members of committees and sub-committees entitled to vote (also note Standing Order 53 below) shall vote by show of hands, or, provided no member requests a recorded vote in accordance with Standing Order 10, if at least two members so request, by signed ballot.

Casting Vote in Committees and Sub-Committees

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

Presence of Non-Members of Committees and Sub-Committees at Such Meetings

53. (a) A Council member may, attend all meetings of committees and sub-committees of which they are not a member, in accordance with Standing Order 66, but, subject to Standing Order 33, may not be excluded thereby; but shall have no vote.

(b) A Council member who has proposed a resolution which has been referred to a committee or sub-committee of which they are not a member may explain their resolution to the relevant meeting but shall not vote.

Accounts

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

(b) Where it is necessary to make a payment before it has been authorised by the Council, such payment shall be certified as to its correctness and urgency by the appropriate officer and at least one other member. Such payment shall be authorised by the committee, if any, having charge of business to which it relates, or by the proper officer for payments with the approval of the Chairman or Vice-Chairman of the Council. Such expenditure shall not exceed half of one percent (0.5%) of the Council precept.

(c) All payments ratified under the sub-paragraph (b) of this Standing Order shall be separately included in the next schedule of payments laid before the Council and any relevant standing committee.

55. The Clerk shall provide a statement of receipts and payments to each member notified of the first ordinary meeting of the Council after the end of the Financial Year.

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

(b) Any committee desiring to incur expenditure shall give the Clerk a written estimate of the expenditure recommended for the coming year no later than the last Finance Committee meeting of the preceding year.

Interest

57. (a) Any member with a personal interest as defined by the Code of Conduct adopted by the Council, shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required.

(b) Any member who has declared an interest and considers that interest to be prejudicial shall act in accordance with the adopted Code.

58. (a) The Clerk shall be required to compile and hold a Register of Member's Interests, or a copy thereof, in accordance with agreement reached with the Monitoring Officer of the Responsible Authority as required by statute.

(b) The Clerk shall record in a book to be kept for the purpose particulars of any notice given by any members or any officer of the Council of a pecuniary interest in a contract and the book shall be open during reasonable hours of the day for inspection of any member.

Refer Standing Order 32 on Conduct and the Council's adoption of the Code and Standing Order 62 on interest in tenders and contracts.

59. Any member with a personal non-pecuniary interest as defined by the adopted Model Code of Conduct for Parish and Town Councils shall declare such interest and such other actions required so as to be in accordance with the Code per Standing Order 32.

Appointments Under the Council

60. If a candidate for any appointment is to their knowledge related to any member of or the holder of any office under the Council, that candidate and the person to whom they are 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, the Council may take such action as is sanctioned by law. The Clerk shall report to the Council or to the appropriate committee, sub-committee or other relevant appointed body of the Council any such disclosure. Where relationship to a member is disclosed, Standing Order 59 shall apply. The Clerk shall make the requirements of this Standing Order known to every candidate.

Also refer Standing Orders 38, 61, 62 and 73.

Canvassing of and Recommendation by Members

61. 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 the requirements of this subparagraph of this Standing Order known to every candidate.

62. A member of the Council or of any committee, sub-committee or other body of the Council shall not solicit for any person any appointment under the Council or recommend any person for such appointment for promotion; 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.

Inspection of Documents

63. A member may for the purpose of their duty as such (but not otherwise), inspect any document in the possession of the Council, committee, sub-committee or other appointed body of the Council, and if copies are available shall, on request, be supplied for the like purpose with a copy.

64. All Minutes kept by the Council and by any committee and sub-committee shall be open for the inspection of any member of the Council.

Unauthorised Activities

65. No member of the Council or of any committee or sub-committee or other appointed body of the Council shall in the name of or on behalf of the Council inspect any lands or premises which the Council has a right or duty to inspect or issue orders, instructions or directions unless authorised to do so by the Council.

Admission of the Public and Press to Meetings

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

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

The Council, committee or sub-committee shall state the special reason for exclusion.

If a person's advice or assistance is needed they may be invited (by name) to remain after the exclusion resolution is passed.

Confidential decisions must be minuted but not the discussions which precede them (refer Standing Order 15). NALC Circular 1/86 deals with situations where it may be desirable to exclude the general public. The public and press cannot be excluded by a ruling of the Chairman and any decision to exclude the public from any future meetings would be contrary to local government law.

Also see Standing Order 70: Confidential Business.

67. In accordance with the Model Code of Conduct for Parish and Town Councils, the Council and its committees and sub-committees shall, at a convenient time in the transaction of business, adjourn the meeting so as to allow any members of the public to address the meeting in relation to the business to be transacted at that meeting.

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

There shall be no audio or video recording or photographs of any meeting without the express approval of the meeting.

69. If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that person be removed from the meeting and may adjourn the meeting for such period as is necessary to restore order.

Refer Standing Order 33 in respect of such circumstance involving members of the Council.

Confidential Business

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

Liaison with District Councillors

71. Statutory notice of meetings shall be forwarded to borough councillors representing wards of the parish.

Planning Applications

72. (a) The Clerk shall hold every planning application notified to the Council as a statutory consultee.

(b) The Clerk shall notify the Chairman and/or the next scheduled Council or Committee meeting of such applications.

(c) The Clerk shall consult with the Chairman and/or two other councillors on any application notified to be contrary to the provisions of the development plan in force, or contrary to the minuted policy of the Council, and, unless rescinded by special resolution of the Council, make written objection by the due date to the borough council planning committee on behalf of the Council.

Tenders and Contracts

73. Standing Orders 60, 61 and 62 shall apply to tenders as if the person making the tender were a candidate for an appointment, and the following shall be observed:

(a) Where it is intended to enter into a contract exceeding 1% of the precept but not exceeding 10% of precept in value for the supply of goods or materials or for the execution of works, the Clerk shall give at least three weeks public notice of such intention in the same manner as public notice of meetings of the Council is given.

(b) Where the value of the intended contract exceeds 10% of precept, similar notice shall be given in addition to all firms included in the appropriate standing approved list of contractors maintained by the District Council, or if no such list is maintained then in such newspapers circulating in the district as the Council shall direct.

(c) Notice of contracts exceeding 10% of precept shall state the general nature of the intended contract and state the name and address of the person to whom tenders are to be addressed and the last date by which those tenders should reach that person in the ordinary course of post.

(d) Tenders shall be opened by the Clerk or other person to whom tenders are required to be addressed, and one member of the Council, on the date specified pursuant to paragraph (b) of this Order and shall be reported by the person who opened them to the Council or, where tenders have been sought by a committee or sub-committee to that committee or sub-committee.

(e) Neither the Council nor any committee, or sub-committee is bound to accept the lowest tender.

(f) 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 work as the Council think fit.

(g) A notice issued under this Standing Order shall contain a statement of the effect of Standing Orders 60, 61 and 62.

(h) The Clerk shall record any interest in any contract declared by a member or officer per Standing Order 58(b).

Code of Practice on Complaints

74. The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or member in such a manner adopted by the Council in accordance with the NALC *Code of Practice for Local Councils in Handling Complaints*, except for such complaints as should properly be directed to the Standards Board for England.

Variation, Revocation and Suspension of Standing Orders

75. 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. If and when such Standing Orders are suspended, no resolutions shall be made.

76. 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.

Standing orders printed in bold type are laid down by Acts of Parliament and are compulsory.

Standing Orders to be Given to Members

77. A copy of these Standing Orders shall be given to each member by the Clerk on receipt of the member's declaration of acceptance of office and written undertaking to observe the Code of Conduct adopted by the Council.

All councillors and co-opted members are under the same obligations and must observe the Council's Standing Orders.

Agreed and adopted by Full Council at a meeting on Tuesday 2 December 2008.

Sign.....Date.....
Chairman.