



# Woodstock Town Council Standing Orders

**April 2023**

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## WOODSTOCK TOWN COUNCIL STANDING ORDERS DECEMBER 2021

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## Woodstock Town Council Standing Orders

### Introduction

These model standing orders are based upon the National Association of Local Council (NALC) model standing orders which have been adapted specifically for Woodstock Town Council. Following a resolution of Council, the standing orders have been updated to be gender neutral where possible. It should be noted that where the Local Government Act 1972 gives provision for a chairman of the council or vice-chairman of the council, in the case of Woodstock Town Council this has been replaced by Mayor and Deputy Mayor in accordance with s245 4A b); in the case of a committee (or sub-committee) chairman, there is no provision in law for a title change, however the title has been amended to chairperson to meet the Council's preference for non-gender specific title.

### How to use model standing orders

Standing orders are the written rules of a local council. Standing orders are essential to regulate the proceedings of a meeting. A council may also use standing orders to confirm or refer to various internal organisational and administrative arrangements. The standing orders of a council are not the same as the policies of a council but standing orders may refer to them.

Local councils operate within a wide statutory framework. NALC model standing orders incorporate and reference many statutory requirements to which councils are subject. It is not possible for the model standing orders to contain or reference all the statutory or legal requirements which apply to local councils. For example, it is not practical for model standing orders to document all obligations under data protection legislation. The statutory requirements to which a council is subject apply whether or not they are incorporated in a council's standing orders.

The model standing orders do not include model financial regulations. Financial regulations are standing orders to regulate and control the financial affairs and accounting procedures of a local council. The financial regulations, as opposed to the standing orders of a council, include most of the requirements relevant to the council's Responsible Financial Officer. Model financial regulations have been adopted by Woodstock Town Council.

Model standing orders that are in **bold type contain legal and statutory requirements**. It is recommended that councils adopt them without changing them or their meaning. Model standing orders not in bold are designed to help councils operate effectively but they do not contain statutory requirements so they may be adopted as drafted or amended to suit a council's needs. It is NALC's view that all model standing orders will generally be suitable for councils.

For convenience, the word "councillor" is used in model standing orders and, unless the context suggests otherwise, includes a non-councillor with or without voting rights.

## 1. Rules of debate at meetings

- a Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairperson of the meeting.
- b A motion and any amendment shall not be progressed unless it has been moved and seconded.
- c A motion on the agenda that is not moved by its proposer, or any other member, may be treated by the chairperson of the meeting as withdrawn.
- d If a motion and any amendment has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- e An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- f If an amendment to the original motion is carried, the original motion (as amended) becomes the substantive motion upon which further amendment(s) may be moved.
- g A councillor may move an amendment to their own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- h A councillor may not move more than one amendment to an original or substantive motion.
- i The mover of an amendment has no right of reply at the end of debate on it.
- j Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply at the end of debate on the final substantive motion immediately before it is put to the vote.
- k Unless permitted by the chairperson of the meeting, a councillor may speak once in the debate on a motion except:
  - I. to speak on an amendment moved by another councillor;
  - II. to move or speak on another amendment if the motion has been amended since they last spoke;
  - III. to make a point of order;
  - IV. to explain a personal issue or
  - V. to exercise a right of reply as the proposer
- l During the debate on a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which they consider has been breached or specify the other irregularity in the proceedings of the meeting they are concerned by.
- m A point of order shall be decided by the chairperson of the meeting and their decision shall be final.
- n When a motion is under debate, no other motion shall be moved except:
  - I. to amend the motion;
  - II. to adjourn the debate;
  - III. to put the motion to a vote;
  - IV. to ask a person to be no longer heard or to leave the meeting;
  - V. to refer a motion to a committee or sub-committee for consideration;
  - VI. to exclude the public and press;

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- VII. to adjourn the meeting; or
  - VIII. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- o Before an original or substantive motion is put to the vote, the chairperson of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived their right of reply.
  - p Excluding motions moved under standing order 1(n), the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 3 minutes without the consent of the chairperson of the meeting.

### 2. Disorderly conduct at meetings

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairperson of the meeting shall request such person(s) to moderate or improve their conduct.
- b If person(s) disregard the request of the chairperson of the meeting to moderate or improve their conduct, any councillor or the chairperson of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- c If a resolution made under standing order 2(b) is ignored, the chairperson of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

### 3. Meetings generally

Full Council meetings                      ●

Committee meetings                        ●

- a **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**
- b **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.** It being not best practice to include a Saturday as one of the clear days this should only be practised in the case of urgency.
- c **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.**
- d **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.**

#### Public Participation

- e Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.

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- f The period of time designated for public participation at a meeting in accordance with standing order 3(e) shall not exceed 15 minutes unless directed by the chairperson of the meeting.
- g Subject to standing order 3(f), a member of the public shall not speak for more than 3 minutes.
- h In accordance with standing order 3(e), a question shall not require a response at the meeting nor start a debate on the question. The chairperson of the meeting may direct that a written or oral response be given.
- i A person may request to ask a question by raising their hand. Permission to speak will be at the discretion of the chairperson
- j A person who speaks at a meeting shall direct their comments to the chairperson of the meeting.
- k Only one person is permitted to speak at a time. If more than one person wants to speak, the chairperson of the meeting shall direct the order of speaking.
- l **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.**
- m **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
- n **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.**
- o **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Mayor may in their absence be done by, to or before the Deputy Mayor.**
- p **The Mayor, if present, shall preside at a meeting. If the Mayor is absent from a meeting, the Deputy Mayor if present, shall preside. If both the Mayor and the Deputy Mayor are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**
- q **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors present and voting.**
- r **Voting shall be by a show of hands and shall be recorded in the minutes to show number of votes for, against and abstained. A Councillor can ask for their name to be record against individual vote.**
- s **A Councillor may call for a named vote and such a request shall be made before any vote that is called for. The named vote shall be recorded in the minutes as to show whether each councillor present and voting gave their for vote for, against or abstained**
- t **The chairperson of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise their casting vote whether or not they gave an original vote.**

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See standing orders 5(h) and (i) for the different rules that apply in the election of the chairperson of the Council at the annual meeting of the Council.

- u **The minutes of a meeting** shall include an accurate record of the following:
  - i. the time and place of the meeting;
  - ii. the names of councillors who are present and the names of councillors who have given their apologies for absence;
  - iii. interests that have been declared by councillors and non-councillors with voting rights and a declaration of form filled in and handed to the Clerk; which will be held as a record
  - iv. the grant of dispensations (if any) to councillors.
  - v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
  - vi. if there was a public participation session; and
  - vii. the resolutions made.
- v **A councillor 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 their right to participate and vote on that matter.**
- w **No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.**

*See individual terms of references for the quorum of a committee or sub-committee meeting.*

- x **If a meeting is or becomes inquorate no business shall be transacted** and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.
- y A full council meeting shall begin at 7pm not exceed a period of 2hrs hours, unless a resolution, without notice, is approved to continue for a further 30 minutes.
- z The Annual Town Meeting shall start at 7.30pm

## 4. Committees

- a **The members of a committee may include non-councillors without voting rights as an advisor unless it is a committee which regulates and controls the finances of the Council.**
- b The Council may appoint standing committees or other committees as may be necessary, and
  - i. shall approve the members of any committee;
  - ii. shall determine their terms of reference;
  - iii. shall permit a committee to decide the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council;
  - iv. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of any extra ordinary meetings;
  - v. shall permit the Committee to elect the Chairperson as the first meeting of the Committee

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- vi. shall permit a committee to allow a substitute member whose role is to replace an ordinary member at a meeting of the committee if the ordinary members of the committee confirms to the proper officer at least one day before the meeting they are unable to attend.
  - vii. may dissolve a committee at any time
- c Committees are required to abide by the requirements under standing order 3 (Meetings General) regarding notice of meeting, public participation and minutes.

### 5. Working Groups

- a The members of a working group may include non-councillors.
- b The Council may appoint a Working Group as may be necessary, and
  - i. shall approve the members of any working group;
  - ii. shall determine their terms of reference;
  - iii. may dissolve a working group at any time

### 6. Ordinary council meetings

- 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 councillors elected take office.**
- b **In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.**
- c **If no other time is fixed, the annual meeting of the Council shall take place at 6.30pm.**
- 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 decides.**
- e **The first business conducted at the annual meeting of the Council shall be the election of the Mayor and Deputy Mayor.**
- f **The Mayor, unless they have resigned or become disqualified, shall continue in office and preside at the annual meeting until their successor is elected at the next annual meeting of the Council.**
- g **The Deputy Mayor, unless they resign or become disqualified, shall hold office until immediately after the election of the Mayor at the next annual meeting of the Council.**
- h **In an election year, if the current Mayor has not been re-elected as a member of the Council, they shall preside at the annual meeting until a successor Mayor has been elected. The current Mayor shall not have an original vote in respect of the election of the new Mayor but shall give a casting vote in the case of an equality of votes.**
- i **In an election year, if the current Mayor has been re-elected as a member of the Council, they shall preside at the annual meeting until a new Mayor has been elected. They may exercise an original vote in respect of the election of the new Mayor and shall give a casting vote in the case of an equality of votes.**
- j Following the election of the Mayor and Deputy Mayor at the annual meeting, the business shall include:
  - i. **In an election year, delivery by the Mayor and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Mayor of their acceptance of office form unless the Council resolves for this to be done at a later date;**
  - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council;



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- iii. Receipt of the minutes of the last meeting of a committee;
  - iv. Consideration of the recommendations made by a committee;
  - v. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
  - vi. Review of the terms of reference for committees;
  - vii. Appointment of members to existing committees;
  - viii. Appointment of any new committees in accordance with standing order 4;
  - ix. Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses.
  - x. Review of representation on or work with external bodies and arrangements for reporting back;
  - xi. In an election year, to make arrangements with a view to the Council becoming eligible to exercise the general power of competence in the future;
  - xii. Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.
- k Annually at an ordinary meeting of the council, the documents, policies and procedures of the council shall be reviewed. These include but are not limited to:
- i. Review and adoption of appropriate standing orders and financial regulations;
  - ii. Review of inventory of land and other assets including buildings and office equipment;
  - iii. Confirmation of arrangements for insurance cover in respect of all insurable risks;
  - iv. Review of the Council's and/or staff subscriptions to other bodies;
  - v. Review of the Council's external complaints procedure;
  - vi. Review of the Council's policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation (*see also standing orders 13, 22 and 23*);
  - vii. Review of the Council's policy for dealing with the press/media
  - viii. Review of the Council's employment policies and procedures;
  - ix. Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence.

## 7. Extraordinary meetings of the council, committees

- a Extra Ordinary meeting may be called at ordinary meeting of the full council to disperse with any outstanding business. The issuing of the summons/agenda maybe delegated to the Clerk.
- b **The Mayor may convene an extraordinary meeting of the Council at any time.** The Mayor may delegate the issuing of summons/agenda to the clerk.
- c **If the Mayor does not call an extraordinary meeting of the Council within three clear working 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.**
- d The chairperson of a committee together with the Clerk may convene an extraordinary meeting of the committee at any time. The chairperson may delegate the issuing of summons/agenda to the clerk.
- e If the chairperson of a committee does not call an extraordinary meeting within 3 clear working

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days of having been requested to do so by 2 members of the committee any 2 members of the committee may convene an extraordinary meeting of the committee.

### 8. Previous resolutions

- a A previous resolution shall not be revisited within six months except if further information becomes known and needs to be considered. This will be with direction of the clerk, whose decision will be final.
- b If the clerk considers that the motion should be revisited the motion and the additional information will be put forward at a meeting of the council for consideration. Should there be less than 9 councillors in attendance at the meeting item will automatically be deferred until the next meeting.

### 9. Agenda Items requests

- a The deadline for requesting an item be put on the agenda is 12 noon 5 working days prior to the meeting date. (as our meetings are usually held on a Tuesday this would result in the Tuesday before).
- b The deadline for submission of accompanying papers/reports for an agenda item is 11am 4 working days prior to the meeting date. (as our meetings are usually held on a Tuesday this would result in the Wednesday before).
- c This paper must include a recommendation or a proposal unless just for noting. If a paper/report has not been submitted to accompany an agenda item by this deadline then the item is to be removed from the agenda before it is circulated and posted in the public arena.
- d Any additional information relating to an agenda item must be circulated by the (Councillor/Clerk) providing the additional information (this may be done by email) by 5pm on the day before the meeting allowing over 24 hours to be considered. This must be additional information only and not a full paper.

### 10. Motions for a meeting that require written notice to be given

- a A motion shall relate to the responsibilities of the meeting for which it is tabled and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
- b The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9, 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 9 is not clear the Proper Officer will contact the councillor who submitted the motion for further clarification.
- d If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the councillor who submitted the motion to consider whether the motion shall be included in the agenda or rejected.
- e The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final. The appropriate Councillor will be notified
- f Motions received shall be recorded and numbered in the order that they are received.
- g Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.

## 11. Motions at a meeting that do not require written notice

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

## 12. Voting on appointments

- a Where more than two persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour the following process will be followed:
- i. the name of the person having the least number of votes shall be struck off the list and a fresh vote taken.
  - ii. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the chairperson of the meeting

## 13. Management of information

See also standing order 22 & 23.

- 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.**

## 14. Draft minutes

Full Council meetings ●

Committee meetings ●

- a If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read. Councillors shall notify any suggested amendments to the proper officer in advance of a meeting and these will be conveyed to the Council at the meeting
- b Other suggested amendments may be put at the meeting.
- c There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 10(a)(i).
- d The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chairperson of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- e If the chairperson of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, they shall sign the minutes and include a paragraph in the following terms or to the same effect:

“The chairperson of this meeting does not believe that the minutes of the meeting of the ( ) held on [date] in respect of ( ) were a correct record but their view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”
- f **If the Council's gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.**
- g Subject to the publication of draft minutes in accordance with standing order 12(e) and standing order 20(a) and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes of the meeting for which approved minutes exist shall be destroyed.

## 15. Code of conduct and dispensations

See also standing order 3(v).

- a All councillors shall observe the code of conduct adopted by the Council.
- b Unless they have been granted a dispensation, a councillor shall withdraw from a meeting when it is considering a matter in which they have a disclosable pecuniary interest. They may return to the meeting after it has considered the matter in which they had the interest.
- c Unless they have been granted a dispensation, a councillor shall withdraw from a meeting when it is considering a matter in which they have another interest in, if so required by the Council's code of conduct. They may return to the meeting after it has considered the matter in which they had the interest.

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- d **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- e A decision as to whether to grant a dispensation shall be made by a meeting of the council and that decision is final.
- f A dispensation request shall confirm:
  - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
  - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
  - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
  - iv. an explanation as to why the dispensation is sought.
- g Subject to standing orders 15(d) and (f), a dispensation request shall be considered at the beginning of the meeting of the council.
- h **A dispensation may be granted in accordance with standing order 15(e) 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.**

### 16. Code of conduct complaints

- a Upon notification by the District Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to standing order 13, report this to the Council.
- b Where the notification in standing order 16(a) relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Mayor of this fact, and the Mayor shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with standing order 16(d).
- c The Council may:
  - i. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
  - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- d **Upon notification by the District Council that a councillor has breached the Council's code of conduct, the Council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.**

### 17. Proper officer

- a The Proper Officer shall be either (i) the clerk or (ii) other staff member(s) nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.

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- b The Proper Officer shall:
- i. **at least three clear days before a meeting of the council or a committee,**
    - **serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email), and**
    - **provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**
  - ii. **if delegation has been agreed at least three clear days before an extra ordinary meeting of the council or committee**
    - **serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email), and**
    - **provide, in a conspicuous place, public notice of the time, place and agenda**

*See standing order 3(b) for the meaning of clear days for a meeting of a full council and standing order 3(c) for the meaning of clear days for a meeting of a committee;*

- iii. subject to standing order 10 include on the agenda all motions received unless a councillor has given written notice at least 4 clear days before the meeting confirming their withdrawal of it;
- iv. **convene a meeting of the Council for the election of a new Mayor, occasioned by a casual vacancy in their office;**
- v. **facilitate inspection of the minute book by local government electors;**
- vi. **receive and retain copies of byelaws made by other local authorities;**
- vii. hold acceptance of office forms from councillors;
- viii. hold a copy of every councillor's register of interests;
- ix. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
- x. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- xi. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);
- xii. arrange for legal deeds to be executed; (*see also standing order 25*);
- xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
- xiv. record every planning application notified to the Council and the Council's response to the local planning authority in an electronic list for such purpose;
- xv. refer a planning application received by the Council to the Mayor or in their absence the Deputy Mayor within two working days of receipt to facilitate a meeting of the extra ordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Council;

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- xvi. manage access to information about the Council via the publication scheme; and
- xvii. retain custody of the seal of the Council which shall not be used without a resolution to that effect. (*see also standing order 25*).

### 18. Responsible financial officer

The Council shall take steps to cover the work the Responsible Financial Officer when the Responsible Financial Officer is absent.

### 19. Accounts and accounting statements

- a "Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils – a Practitioners' Guide".
- b All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.
- c The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
  - i. the Council's receipts and payments (or income and expenditure) for each quarter;
  - ii. the Council's aggregate receipts and payments (or income and expenditure) for the year to date;
  - iii. the balances held at the end of the quarter being reported and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
  - i. each councillor with a statement summarising the Council's receipts and payments (or income and expenditure) for the last quarter and the year to date for information; and
  - ii. to the Council the accounting statements for the year in the form of Section 2 of the annual governance and accountability return, as required by proper practices, for consideration and approval.
- e The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March.
- f A completed draft annual governance and accountability return shall be presented to all councillors at least 7 days prior to anticipated approval by the Council.
- g The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

### 20. Financial controls and procurement

- a. The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
  - i. the keeping of accounting records and systems of internal controls;
  - ii. the assessment and management of financial risks faced by the Council;
  - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least

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annually;

- iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and
  - v. whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise.
- b. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in standing order 18(f) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity unless it proposes to use an existing list of approved suppliers (framework agreement).**
- d. Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
- i. a specification for the goods, materials, services or the execution of works shall be drawn up;
  - ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
  - iii. the invitation to tender shall be advertised on the Council's website and in any other manner that is appropriate;
  - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
  - v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
  - vi. tenders are to be reported to and considered by the appropriate meeting of the full council
- e. The Council, when considering tenders, is not bound to accept the lowest value tender.
- f. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works contract; (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.**

## 21. Handling staff matters

- a. A matter personal to a member of staff that is being considered by a meeting of Council or the Staffing Committee is subject to standing order 13 Management of information and the Council's GDPR policy.
- b. Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the Mayor and chairperson of the staffing committee or, if they are



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not available, the Deputy Mayor of absence occasioned by illness or other reason and that person shall report such absence to the staffing committee at its next meeting.

- c The Mayor and chairperson of the staffing committee or in their absence, the Deputy Mayor shall upon a resolution conduct a review of the performance and annual appraisal of the work of Town Clerk.
- d The Town Clerk shall conduct a review of the performance and annual appraisal of the work of all other staff. The reviews and appraisals shall be summarised and reported in writing and are subject to approval by resolution by the staffing committee.
- e Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior member of staff shall contact the Mayor or in their absence, the chairperson of the staffing committee in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by recommendation of the staffing committee.
- f Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the Town Clerk relates to the Mayor, this shall be communicated to the chairperson of the Staffing Committee or another member of the staffing committee, which shall be reported back and progressed by resolution of the staffing committee.
- g Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.
- h In accordance with standing order 13(a), persons with line management responsibilities shall have access to staff records referred to in standing order 21(g).

## 22. Responsibilities to provide information

See also standing order 23.

- a **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**
- b **The Council, shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.**

## 23. Responsibilities under data protection legislation

Below is not an exclusive list. See also standing order 13.

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

## 24. Relations with the press/media

- a Requests from the press or other media for an oral or written comment or statement from the Council, its councillors or staff shall be handled in accordance with the Council's policy in respect of dealing with the press and/or other media.

## 25. Execution and sealing of legal deeds

See also standing orders 17(b)(xi) and (xvii).

- a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- b **Subject to standing order 25(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.**
- c A register shall be retained of all applications of the Council's common seal.

## 26. Communicating with district and county or unitary councillors

- a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the ward councillor(s) of the District and County Council representing the area of the Council, subject to confirmation that the councillors wish to receive such notice.
- b Unless the Council determines otherwise, a copy of each letter sent to the District and County Council OR Unitary Council shall be sent to the ward councillor(s) representing the area of the Council.

## 27. Restrictions on Councillor Activities

- a Unless duly authorised no councillor shall:
  - i. inspect any land and/or premises which the Council has a right or duty to inspect; or
  - ii. issue orders, instructions or directions.

## 28. Standing orders generally

- a All or part of a standing order, except one that incorporates mandatory statutory or legal requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b Other than a regular review by the proper officer, a motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory or legal requirements, shall be proposed by a special motion, the written notice by at least 8 councillors to be given to the Proper Officer in accordance with standing order 9.
- c Once proposed and seconded, any motion to permanently a motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory or legal requirements, shall lay on the table, without debate, until the next ordinary meeting of the council.
- d The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible following election or any review.
- e The decision of the chairperson of a meeting as to the application of standing orders at the meeting shall be final.

**Adopted:** 7<sup>th</sup> December 2021    **Amended:** 11<sup>th</sup> October 2022

**Next Review :** Not later than December 2023