



# Standing Orders

# RULES OF PROCEDURE

Adopted: March 2023

Those Standing Orders printed in ***bold italic type*** are compulsory and laid down in Acts of Parliament and Regulations. Standing Orders in ***bold italic type*** cannot be suspended.



Policy details	
Purpose	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.
Date of last update	February 2023
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Full Council approval	March 2023
Lead officer	Iain Lynch, Town Clerk
Publication (Int, W, MH)	Int, W, MH
Review due	March 2027

## I. Introduction

- 1.1. All meetings of the Council and its Committees, sub-Committees, Working/Task or other Groups shall be governed by these Standing Orders and the Council's Code of Conduct unless the Council resolves otherwise.
- 1.2. **Any or every part of the Standing Orders except those printed in bold italic type can be suspended in relation to any specific item of business by resolution of the Council. Standing Orders in bold type should not be substantially amended unless legislation changes.**
- 1.3. A resolution permanently to add, vary or revoke any Standing Order when proposed and seconded will stand adjourned without discussion to the next ordinary meeting of the Council but Council may review them in total at the last meeting of the Council year or when a new set of Model Standing Orders is published.

## 2. Meetings – General

- 2.1. **(FREQUENCY) - In addition to the statutory 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.** Other meetings of the Council may be held during each year on such dates and times and in a place that the Council decides but Council will normally adopt a schedule of meetings for itself and its Committees and Working Groups as early possible. The Council will normally meet up to 9 times a year.
- 2.2. **(NOTICES) - It is mandatory that 3 clear days notice of meetings shall be given to Councillors and the public,** but the council has decided that formal Notices, Agenda and supporting papers should normally be dispatched to Councillors one (1) week before all Council Meetings. **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.** Agendas and supporting papers may be sent electronically provided the councillor has consented to service by email with hard copies sent to members of each meeting and on request to other councillors.
- 2.3. The Agenda for each Full Council meeting may also be sent, together with an invitation to attend, to the County and Borough Councillors for the appropriate divisions or wards.
- 2.4. **(ACCESS) - 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.**
- 2.5. **(RECORDING)**
  - 2.5.1. **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.**

- 2.5.2. **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
- 2.5.3. **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 subject to Standing Order 2.4 above.**
- 2.5.4. The filming, reporting, photographing or other reporting of children and vulnerable people may only be done with the consent of a responsible adult which in the case of a vulnerable adult is a medical professional, their carer or guardian, and in the case of a child is their parent, legal guardian or teacher.
- 2.5.5. Any person participating in the public questions or public statements section of the Council meeting may be filmed, photographed or included in a report of the meeting.
- 2.5.6. Any person reporting proceedings is bound by the Data Protection Act 1998 and subsequent legislation as it applies to personal data of individuals.
- 2.5.7. Meetings may be recorded by the Council for internal purposes.

**2.6 (LOCATION) - 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.** Except where the Council decides otherwise, all meetings will be held in the Council Chamber, at The Town Hall, South Street, Farnham.

**2.7 (TIMING) - All meetings of the Council will begin after 6pm.** If no other time is fixed, meetings will start at 7.00pm and will normally end no later than 10.00pm unless Standing Order 11.9 is invoked. Any unfinished business will be included in the agenda of the next meeting unless dealt with in the interim.

**2.8 (QUORUM) - No business may be transacted at a Council Meeting unless at least one third of the whole number of Members of the Council (i.e. 5 Councillors) is present. In no case shall the Quorum of any meeting** (including Committees, Working and Task Groups) **be less than 3.** The Council has decided that, for a Council Meeting, a minimum of 9 Councillors shall make a Quorum being half the Council plus 1. **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 which shall be the next scheduled Council Meeting or on a day that the Town Mayor/Chair agrees with the Council's Proper/Responsible Officer (Town Clerk).

**2.9 (CHAIR) –**

**2.9.1 Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Mayor (Chair of the Council) may in their absence be done by, to or before the Deputy Mayor (Vice-Chair) of the Council (if there is one).**

**2.9.2 The Town Mayor, if present, shall preside at a meeting. If the Mayor is absent from a meeting, the Deputy Mayor of the Council 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.** The Town Clerk shall call for a nominee from the floor to take the chair. If discussion arises on this motion the Town Clerk shall exercise the powers of the person presiding to regulate that discussion, and to maintain order at the meeting. In that

event, for the avoidance of doubt, the Town Clerk shall **not** have the right to vote on any nomination or matter.

- 2.10 **(AGENDA)** – The Council Agenda will be split into three (3) Parts as below:
- Part One – Items for Decision
  - Part Two – Items to Note
  - Part Three – Confidential Items
- 2.11 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 are absent;
  - iii. interests that have been declared by councillors and non-councillors with voting rights;
  - iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;
  - 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.

### **3. Meetings of the Council – Annual (Mayor Making), Ordinary & Extraordinary**

- 3.1 ***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.***
- 3.2 Procedure - Annual Town Council Meeting (Mayor Making)
- a) ***In an election year, the Annual Town Council Meeting shall be held on or within 14 days following the day on which the Councillors elected take office and***
  - b) ***In a year which is not an election year the Annual Town Council Meeting shall be held on such day in May as the Council may direct.***
  - c) ***The Mayor/Chair of the Council, unless they have resigned or becomes disqualified, shall continue in office and preside at the Annual Meeting until a successor is elected at the next Annual Meeting of the Council.***
  - d) ***The Deputy Mayor/Vice-Chair of the Council, if any, unless they resign or becomes disqualified, shall hold office until immediately after the election of the Mayor/Chair of the Council at the next Annual Meeting of the Council.***
  - e) ***In an election year, if the current Mayor/Chair of the Council has been re-elected as a member of the Council, they shall preside at the Annual Meeting until a new Mayor/Chair of the Council has been elected. The Mayor/Chair may exercise an original vote in respect of the election of the new Mayor/Chair of the Council and must give a casting vote in the case of an equality of votes. Except that, when an existing Town Mayor/Chair is put forward for re-election to that position, they must vacate the Chair prior to***

**the election taking place and a Councillor not put up for election must take over the Chair until after the election.**

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

### 3.3 Order of Business - Annual Town Council Meeting (Mayor Making)

3.3.1 ***At each Annual Town Council Meeting the first business shall be to elect a Town Mayor (by show of hands).***

3.3.2 Following the election of the Town Mayor at the annual meeting of the council, the business of the annual meeting shall include:

- a) ***To receive the Town Mayor's declaration of acceptance of office or, if not then received, to decide when it shall be received.***
- b) ***In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.***
- c) ***To decide when any declarations of acceptance of office which have not been received as provided by law shall be received.***
- d) To elect a Deputy Town Mayor (by show of hands).
- e) To receive the Deputy Town Mayor's declaration of acceptance of office or, if not received, to decide when it shall be received.
- f) To appoint a Leader or Spokesperson for the Council.
- g) To appoint Committees and/or Working/Task groups.\*\*
- h) To appoint Representatives to Outside Bodies.\*\*
- i) In a year of elections, if a Council's period of eligibility to exercise the *Power of General Competence* (as set out in The Parish Councils (General Power of Competence) (Prescribed Conditions) Order 2012, expired the day before the Annual Meeting, to review and make arrangements to reaffirm eligibility.\*\*
- j) To review any Regalia, Property, Deeds and Trust Investments in the custody of the Council as required.\*\*
- k) Approve a Risk Analysis of the Council's activities.\*\*
- l) Review and confirm arrangements for insurance cover in respect of all insured risks.\*\*
- m) Review the Council's Financial Regulations and Arrangements.\*\*
- n) Review the Council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 2018 (GDPR). \*\*
- o) Review the Council's policy for dealing with the press/media.\*\*

- p) Set the dates, times and place of meetings of the full Council and its Committees and/or Working Groups for the year ahead.\*\*
- q) Review of arrangements, including any charters and agency agreements, with other local authorities and review of contributions made to expenditure incurred by other local authorities.\*\*

\*\* These items may be considered at a different meeting but must be done at least once in any Council year.

Thereafter the business will follow the order set out below for an Ordinary Meeting of the Council.

### 3.4 Order of Business - Ordinary Council Meetings

3.4.1 Prior to the start of the formal business, the Council may say prayers and receive a presentation by local organisations or those whose activities affect the town. Such organisations shall be approved by the Mayor and invited by the Town Clerk.

3.4.2 ***At every meeting other than the Annual Town Council Meeting the first business shall be to appoint a Chair if the Town Mayor and Deputy Town Mayor be absent and to receive such declarations of acceptance of office (if any) and undertaking to observe the Council's code of conduct as are required by law to be made or, if not then received, to decide when they shall be received.*** After the first mandatory business has been completed, the order of business, unless the Council otherwise decides on the ground of urgency, shall be as follows:-

- a) To receive apologies for absence.
- b) Disclosures of interests by councillors and employees on items on the agenda.
- c) To read and consider the previous Minutes; provided that if a copy has been circulated to each councillor with the agenda there shall be no need to read them out.
- d) ***After consideration, to approve the signature of the Minutes by the person presiding as a correct record.*** 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 7.1c.
- e) Public Questions and Statements on items on the agenda or other matters.
- f) ***To deal with business expressly required by statute to be done.***
- g) To deal with any matters remaining from the last meeting.
- h) To receive the Mayor's Announcements or any communications as the person presiding may wish to lay before the Council.
- i) To receive Petitions (if any have been received).
- j) To answer questions from Councillors.
- k) To receive and consider the minutes, notes and reports of Committees, Working/Task Groups and to determine recommendations made by Committees or Working Groups.
- l) To receive and consider resolutions or recommendations in the order in which they have been notified.



- m) To authorise the sealing of documents.
- n) If necessary, to authorise the signing of orders for payment.
- o) Once a year - no later than when the estimates for the following year are agreed - the Council will review pay and conditions of service of existing employees.
- p) To receive information from council representatives on outside bodies and information from Borough or County Councillors on matters affecting the town.
- q) Confirm the date of the next Council Meeting.

### 3.5 **Extraordinary Meetings**

- a) ***The Mayor/Chair of the Council may convene an extraordinary meeting of the Council at any time.***
- b) Any two members of the Council can request an extraordinary meeting of the Council if a request for such a meeting has been signed by those councillors and has been presented to the Town Clerk/ Proper Officer.
- c) If any Councillors wish to call an extraordinary meeting, the Town Clerk must be informed of that wish with a clear description of the important business. The Town Clerk, after consultation with the Mayor/Chair, will then make sure that the notices and summonses giving the required notice of the extraordinary meeting are published and sent as soon as practical.
- d) ***If the Mayor/Chair of the Council does not, or refuses to, call an Extraordinary Meeting of the Council within 7 days of having been requested to do so by two Councillors, those two Councillors may convene an Extraordinary Meeting of the Council. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two councillors.*** The only items to be considered at an extraordinary meeting will be those for which it was specifically called and which were put on the agenda.

## 4. Leader of Council or Spokesperson

- 4.1 A Leader or Spokesperson of the Council can be appointed at the Annual Council Meeting but if no appointment is made, the role of Spokesperson for the Council will be undertaken by the Lead Member of the Strategy and Resources Working Group.
- 4.2 The Leader/Spokesperson of the Council will have the following approved responsibilities
  - a) To act as the liaison between the members of the Council and the Town Clerk in indicating the priorities and programmes for inclusion in Council business and the Council's likely reaction to new policies or projects.
  - b) To be the first point of contact for the Town Clerk when an issue arises that requires a political or policy response from the Council and the issue does not naturally fall within the existing policy or as a matter of urgency.
  - c) To be the spokesperson for the Council when responding to the Press and Media.

## 5. Proper/Responsible Officer

- 5.1 The Proper Officer shall be either (i) the Town 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. The Proper Officer and the person appointed to act as such during the Proper Officer's absence shall fulfil the duties assigned to the Proper Officer in Standing Orders.
- 5.2 The Town Council has adopted a scheme of delegation to the Town Clerk/Responsible Financial Officer/Proper Officer for the management of the Town Council.
- 5.3 The Council's Proper Officer shall do the following:-
- i. **at least three clear days before a meeting of the council, a committee or a sub-committee,**
    - **serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email), 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. subject to standing order 6, include on the agenda all motions in the order received unless a councillor has given written notice at least 5 days before the meeting confirming withdrawal of it;
  - iii. **convene a meeting of the Council for the election of a new Chair of the Council, occasioned by a casual vacancy in office;**
  - iv. **facilitate inspection of the minute book by local government electors;**
  - v. **receive and retain copies of byelaws made by other local authorities;**
  - vi. hold acceptance of office forms from councillors;
  - vii. hold a copy of every councillor's register of interests;
  - viii. 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;
  - ix. liaise, as appropriate, with the Council's Data Protection Officer (if there is one);
  - 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;
  - 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 a book for such purpose;
  - xv. refer a planning application received by the Council to the Chair or in the absence the

Vice-Chair (if there is one) of the Planning and Licensing Consultative Group/Committee within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting;

- xvi. manage access to information about the Council via the publication scheme; and
- xvii. retain custody of the seal of the Council (if there is one) which shall not be used without a resolution to that effect.

## **6. Motion requiring written notice**

- 6.1. No Motion can be moved and no matter can be discussed unless the business to which it relates has been put on the Agenda by the Town Clerk or the mover has given notice in writing of its terms and has given notice to the Town Clerk at least 10 clear working days before the next meeting of the Council, except as stated in these Standing Orders.
- 6.2. The Town Clerk will date every notice of Motion or recommendation when received and will number each notice in the order received.
- 6.3. If the wording or nature of a proposed motion is considered unlawful or improper, the Town Clerk 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.
- 6.4. The Town Clerk will include in the summons for each meeting, all notices of motion or recommendation given in the order in which they have been received unless the member giving a notice of motion has stated in writing that they intend to move it at some later meeting or that they will withdraw it. The Town Clerk may correct obvious grammatical or typographical errors in the wording of the motion before including it on an agenda.
- 6.5. If a motion or recommendation listed on the agenda is not moved either by the councillor who gave notice of it or by any other councillor, it will, unless postponed by the Council, be withdrawn and not be moved without new notice.
- 6.6. If a motion comes under the Terms of Reference of a Committee, or Working/Task Group of the Council, it may, once it has been proposed and seconded, be referred without discussion to a Committee, Working/Task Group determined by the Council for report; provided that the Chair of the Committee, Working/Task Group agrees.
- 6.7. 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.

## **7. Motions not requiring written Notice**

- 7.1 Motions dealing with the following matters may be moved without notice:-
  - a) To appoint a Chair of the meeting in the absence of the Mayor and Deputy Mayor.
  - b) To approve the long-term absences of councillors.
  - c) To correct any inaccuracies in the Minutes of a previous meeting and to approve them.
  - d) To note the minutes of a meeting of a Committee, Working Group or Task Group.
  - e) To dispose of business, if any, remaining from the last meeting.
  - f) To alter the order of the business agenda for reasons of urgency or expedience.
  - g) To proceed to the next business on the agenda.
  - h) To move to a vote.
  - i) To close or adjourn the debate.
  - j) To refer a matter to a Committee, Working/Task Group or an Officer.
  - k) To appoint a Committee, Working/Task Group or any members thereof.

- l) To adopt a report and or recommendations made by a Working Group, officer or professional advisors.
- m) To authorise the sealing of documents.
- n) To amend a motion.
- o) To give leave to withdraw a motion or amendment.
- p) To extend the time limit for speeches.
- q) To exclude the press and public for all or part of a meeting.
- r) To not hear further from a councillor or a member of the public;
- s) To exclude councillor or member of the public named for disorderly conduct.
- t) To give the consent of the Council where such consent is required by these Standing Orders.
- u) To answer questions from councillors.
- v) **To suspend any Standing Order except those which are mandatory by law (in bold italic type).**
- w) To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of the outside bodies.
- x) To adjourn the meeting.

7.2 If a motion falls within the terms of reference of a Committee or Working Group or within the delegated powers conferred on an employee, a referral of the same may be made to such Committee or Working Group or employee provided that the Mayor/Chair may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

## 8. Petitions

- 8.1. Petitions may be received at (Ordinary) meetings of the Council provided that the petition is received by the Town Clerk no later than midday five working days before the day of the meeting and is signed by at least twenty (20) registered electors within the Town.
- 8.2. Petitions may only be about a matter for which the Council has a responsibility or which directly affects the Town.
- 8.3. Petitions will not be received by the Council which are in furtherance of a person's individual circumstance or which are about a matter where there is a right of appeal to the courts, a tribunal or government minister.
- 8.4. A Petition will not be received by the Council where the issue it concerns has been the subject of a Petition in the last six months or a decision of the Council in the last six months.
- 8.5. One signatory to the Petition may speak on the Petition and for no more than three minutes. The Petition may be answered at that meeting by the Mayor or by a person designated by the Mayor but will more usually be the subject of a written answer.
- 8.6. No discussion shall take place on the Petition at that meeting. A councillor may move that the Petition be referred to the next meeting or to a Committee or to a body. Once the motion has been seconded, it will be voted on without discussion.
- 8.7. No more than three Petitions may be received at one meeting.

## 9. Questions by Members

- 9.1. At a Council meeting, any member of the Council may ask a question of the Town Mayor/Chair or the Town Clerk which relates to a matter which affects a function of the Council or its area or the inhabitants of the area or some of them, provided proper notice has been given.
- 9.2. Notice of the question must be given in writing and delivered to the Town Clerk at least five clear working days before the meeting, signifying to whom the question is put.

- 9.3. A reply to the question can be given verbally at the meeting or by written reply or by indicating that the question will be referred to a future meeting of the Council or of a Committee, Working/Task Group.
- 9.4. Questions not connected with business under discussion will not be asked except during the part of the meeting set aside for questions.
- 9.5. Each question will be put and answered without discussion but the person questioned may decline to answer.

## **10. Public Questions and Statements**

- 10.1. A standard item, will appear on all agendas of Ordinary meetings of Council and Standing Committees to allow, at the discretion of the Town Mayor/Chair, those members of the public, residing or working within the Town Council's boundary, to make representations, ask or answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda or other matters not on the agenda.
  - a) The period of time designated for public participation at a meeting in accordance with standing order 3.3.2 (e) above shall not exceed 20 minutes unless directed by the Chair of the meeting.
  - b) A member of the public shall not speak for more than 3 minutes on any matter or at any one time.
  - c) Only one person is permitted to speak at a time. If more than one person wants to speak, the Chair of the meeting shall direct the order of speaking.
  - d) A question shall not require a response at the meeting nor start a debate on the question. The Chair of the meeting may direct that a written or oral response be given. If a matter raised is one for Principal Councils, the person making representation will be informed of the appropriate contact details.
  - e) A person shall raise their hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort). The Chair of the meeting may at any time permit a person to be seated when speaking.
  - f) A person who speaks at a meeting shall direct their comments to the Mayor/Chair of the meeting.

## **11. Meeting Etiquette & General Procedures**

- 11.1. A Councillor shall remain seated while speaking unless requested to stand by the Town Mayor/Chair.
- 11.2. Councillors shall address all comments to the Town Mayor/Chair. If two or more Councillors wish to speak the Town Mayor/Chair shall decide the order of speaking and whom to call upon.
- 11.3. The ruling of the Town Mayor/Chair on a point of order or on the admissibility of a personal explanation shall be final and shall not be discussed.
- 11.4. Whenever the Town Mayor/Chair stands or speaks during a debate, all other Councillors shall be silent.
- 11.5. Minutes of a previous meeting will not be discussed except upon the accuracy of their content, corrections to those minutes will be made by inclusion in the minutes of the meeting which approves such minutes with the corrections appended. Upon a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.
- 11.6. Motions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Mayor/Chair's direction for reasons of urgency or by vote of the Council for expediency.

- 11.7. Urgent business can only be placed on the Agenda by the Town Clerk with where business is required by law to be done and was omitted from the agenda. Other urgent business may be placed on the Agenda by the Town Clerk with the permission of the Mayor/Chair in the case of emergencies or when it is considered that delay might be prejudicial to the Council's interests.
- 11.8. A motion to vary the order of business on the ground of expediency can be proposed by the Town Mayor/Chair or by any other councillor and, if proposed by the Town Mayor/Chair, can be put to the vote without being seconded, and in all cases will be voted on without discussion.
- 11.9. Meetings of the Council should normally finish by 10pm but at a convenient time before then, the Town Mayor/Chair shall put to the meeting the options of:
- a) Agreeing to a half hour extension to 10.30pm, at which time the meeting shall stand adjourned; or
  - b) Continuing the meeting until the Council has concluded its consideration of the Agenda; or
  - c) Adjourning the meeting.
- 11.10 A vote shall be taken without discussion and no business other than that set out in the Agenda shall be discussed at any adjourned meeting.

## 12. Rules of Debate

### 12.1 Discussion

A motion 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 Town Mayor/Chair or Town Clerk, be put in writing and handed to either person before it is discussed or put to the meeting.

### 12.2 Speeches

- a) A speech by a mover of a motion shall not exceed 5 minutes and no other speech shall exceed 3 minutes except by the consent of the Council.
- b) A speech must be directed solely to the matter under discussion, or to a question of order or a personal explanation.
- c) A councillor when seconding a motion or amendment may if declaring their intention to do so, reserve their speech until later in the debate.

### 12.3 Other Motions

When a motion is being debated the only other motions which may be moved (either singly or combined) are:

- a) To amend the Motion.
- b) To withdraw the Motion.
- c) To proceed to the next business.
- d) To adjourn the debate.
- e) To adjourn the meeting.
- f) That the question be now put to the vote.
- g) That a named Councillor not be heard further.
- h) That a named Councillor leave the meeting.
- i) That the Motion be referred to a Committee or Working/Task Group.
- j) That the meeting continues beyond 10pm.
- k) To exclude the Press and Public from the meeting under Section 100A (4) of the local Government Act 1972 as amended.

- i) to suspend any standing order, ***except those which are mandatory statutory or a legal requirement (In bold italic type).***

#### 12.4 Alteration and Withdrawal

- a) A Councillor may alter a Motion of which they have given notice with the consent of the meeting. The Meeting's consent will be signified without discussion.
- b) A Councillor may alter a Motion which they have moved without notice with the consent of both the meeting and the Secunder. The meeting's consent will be signified without discussion.
- c) A Councillor may withdraw a Motion which they have moved only with the consent of the Secunder and the Meeting. The meeting's consent will be signified without discussion. No Councillor may speak on the Motion after the mover has asked permission to withdraw it unless such permission is refused.

#### 12.5 Right of Reply

- a) The mover of a motion has the right to reply, not exceeding 3 minutes, at the end of the debate on the motion, immediately before it is put to the vote.
- b) If an amendment is moved, the mover of the amendment has the right of reply at the close of the debate on the amendment and to speak last but one for that purpose, the final right of reply to remain with the mover of the original motion.
- c) In exercising a right of reply, a Councillor shall be strictly confined to answering statements or arguments made in the course of debate and shall not introduce any new material.

#### 12.6 Speaking Again

12.6.1 A councillor who has spoken on a motion may not speak again whilst it is the subject of debate, without the permission of the Mayor/Chair, except:

- a) to speak once on an amendment moved by another councillor.
- b) to move a further amendment if the motion has been amended since they last spoke.
- c) if the first speech was on an amendment moved by another councillor, to speak on the main issue whether or not the amendment was carried.
- d) to exercise a right of reply.
- e) on a point of order.
- f) by way of a personal explanation.
- g) on a Procedural Motion.

#### 12.7 Points of Order

- a) During the debate of a motion, a Councillor may interrupt only on a Point of Order or a Personal Explanation in which case 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 irregularity in the meeting they are concerned by. A Personal Explanation shall be confined to some material part of a former speech by the councillor which may have been misunderstood.
- b) Any Point of Order shall be decided by the Mayor/Chair and this decision shall be final.

#### 12.8 Content of an Amendment

An amendment must be relevant to the Motion and either:

- Refer a matter to (or back to) a Committee or Working/Task Group

- Leave out words and insert or add other words as long as the amendment shall not have the effect of negating a motion before the Council.

## 12.9 Debate on Amendments and Procedural Motions

- a) Only one amendment may be moved and discussed at any one time.
- b) No further amendment may be moved until the amendment under discussion has been disposed of unless in the opinion of the Town Mayor/ Chair of the Council this would help the Council conduct its business. Where the Town Mayor/Chair of the Council permits this the combined amendments will be discussed (but not voted on) together.
- c) If an amendment is lost a further different amendment may be moved.
- d) If an amendment is carried, the Motion as amended takes the place of the original Motion and becomes the substantive Motion on which any further amendments may be moved.
- e) After an amendment has been moved, the Mayor/Chair will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.
- f) On a motion that the question be now put:  
If a motion that “The question be now put” is seconded and the Town Mayor/Chair thinks the item has been sufficiently discussed, they will put the procedural motion to the vote. If it is passed the Town Mayor/Chair will give the mover of the original motion a right of reply or to waive their right of reply before putting the motion to the vote.
- g) On a motion to adjourn the debate or the meeting:  
If a motion “to adjourn the debate” or “to adjourn the meeting” is seconded and the Town Mayor/Chair thinks that the item has not been sufficiently discussed and cannot be reasonably so discussed on that occasion they will put the procedural motion to the vote without giving the mover of the original motion the right of reply.
- h) On a motion to proceed to the next business:  
The Town Mayor/Chair shall first put the formal motion to the vote without discussion and if it is passed then the Council shall immediately proceed to the next item of business and any motions or amendments relating to item under discussion shall be lost.
- i) The adjournment of a debate or of the Council shall not prejudice the right of reply at the resumption.

## 13. Voting

- 13.1 ***Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.***
- 13.2 ***Unless standing orders provide otherwise, voting on a question shall be by a show of hands, acclamation or by electronic voting or on a ballot paper. At the request of a councillor, the voting on any question shall be recorded by the Town Clerk so as to show whether each councillor present and voting gave their vote for or against that question or abstained. Such a request shall be made before moving on to the next item of business on the agenda.***
- 13.3 ***The Town Mayor/Chair may give an original vote on any matter put to the vote, and in any case of an equality of votes may give a casting vote whether or not they gave an original vote.***

## 14. Rescission of previous Resolutions

- 14.1 A decision (whether positive or negative) of the Council will not be reversed within six



months except by a Special Resolution, the written notice of which must signed by at least 9 members of the Council and be given to the Town Clerk at least ten days before a meeting at which it is to be considered. Such Special resolution, when voted on, must receive the backing of at least 9 members of the Council to reverse a previous decision.

- 14.2 When a Special Resolution or any other resolution has been agreed under the provisions of paragraph 14.1 of this Order, no similar resolution may be moved within a further six months.

## 15. Committees and Working/Task Groups

- a) Unless the council determines otherwise, a Committee may appoint a sub-Committee whose terms of reference and members shall be determined by the Committee.
- b) ***The members of a Committee may include non-councillors unless it is a Committee which regulates and controls the finances of the council.***
- c) Unless the council determines otherwise, all the members of an advisory Committee and a sub-Committee of the advisory Committee may be non-councillors.

### 15.1 Appointment & Membership

- a) The Council may appoint Standing Committees and/or Working/Task Groups with specific Terms of Reference which will meet according to the schedule adopted by the Council but may hold additional meetings as and when required. An Officer delegated by the Town Clerk will attend every meeting.
- b) The membership of any Committee and/or Working/Task Group shall be determined by full Council which will not appoint any member of a Committee and/or Working/Task Group so as to hold office later than the next Annual Meeting.
- c) Council may appoint persons other than Members of the Council to any Committee and/or Working/Task Group. Such persons shall have the right to speak and vote but will not form part of the Quorum.
- d) The Town Mayor/Chair ex-officio, shall be a member of every Committee and/or Working/Task Group but will have no voting rights or the ability to propose motions on the Committees, Working/Task Groups on which their membership is ex-officio. The Town Mayor will not therefore form part of the Quorum as an ex-officio member.
- e) The overall membership of all Standing Committees/Working Groups will reflect, as closely as possible, the political make-up of the Council. It is intended that as broad a range of Councillors as possible shall be represented on the Committees and/or Working Groups.
- f) When considering membership of *Working Groups* the Council will take account of the political make-up such that those who are not members of the majority party are fairly represented. It is suggested (but shall not be mandatory) that non-members of the majority party shall be entitled to a proportionate share (1/16<sup>th</sup> per member) of the total places available on the Standing Working Groups, evenly spread over those Groups. Within this entitlement, at least one place on the main policy Working Group (Strategy and Resources Working Group) shall be available to those who are not part of the majority party. *In the case of there being four Working Groups of five members each (20 places available), this would mean that those who are not members of the majority party would normally be offered 1.25 places (20/16) rounded i.e. 1 member = 1 place; 2 members = 3 places; 3 members = 4 places and 4 members = 5 places.* Task Groups and the Planning & Licensing Consultative Group will not be required to adhere to this.

- g) All Councillors will be asked to submit annually to the Town Clerk an indication of the Committees/Working Groups on which they wish to serve, listed in order of their preference, together with a list of Outside Bodies on which they would like to represent the Council. The process of appointments will be as follows:
  - 1) The Town Clerk will attempt to fill the available spaces by initially allocating Councillors their first preferences and then filling the remaining spaces by allocating second and third preferences etc.
  - 2) Where there are not enough nominations to fill all the required positions on either Committees/Working Groups or positions on Outside Bodies, the Town Clerk will bring the matter to the attention of Council by asking for more nominations.
  - 3) Where more Councillors have indicated a first preference for a particular position than there are places available, the Town Clerk may try to negotiate an acceptable outcome with the nominees. Where this is not possible the Town Clerk will bring the matter to Council at which a vote will be taken.
- h) Notwithstanding Standing Order 15.1.b, the appointments for Committees and Working Groups for the forthcoming year will normally be agreed by Council at the last meeting of the Council year. In an election year, the appointments will take place at the first meeting after the Annual Meeting. This will enable the Annual Meeting to be a ceremonial meeting for the appointment of the Mayor.
- i) Voting on appointments to Committee and Working Groups shall normally be by ballot administered by the Town Clerk unless Council decides otherwise. Where there is a tie for the last place or places there will be a run-off vote between those tying for the last place(s). Any further tie may be settled by the Mayor/Chair's casting vote.

## 15.2 Types of Committees/Working Groups/Panels and Task Groups

- a) **Standing Committees** will normally have delegated powers and as such will meet in public and observe the same rules of debate as the full Council. Every Committee may appoint sub-Committees for the purposes to be specified by the Committee with the Terms of Reference specified by the Committee. As more formal meetings, Committees will set the direction and strategy for officers to implement. Councillors have a policy setting role.
- b) **Working Groups/Standing Panels** will generally be appointed on an annual basis to consider various areas of the Council's responsibility. They will not, unless specifically delegated by Council, have any decision making powers but will report back with recommendations to full Council which will be the decision making body for their areas of responsibility. Since they are not decision making bodies they will not be required to meet in public. On Working Groups, Councillors determine the higher level objectives and direction for services with officers advising on and implementing the detail. Councillors should be prepared to assist in the implementation as requested.
- c) **Task Groups** will be set up for a limited time to consider specific items and also report back to Working Groups or Council with their findings. Since they are not decision making bodies they will not be required to meet in public. On Task Groups, officers and councillors work side by side to develop projects and issues to achieve the Task Group's aims.
- d) **The Planning and Licensing Consultative Group** will be appointed to consider planning and licensing applications and related matters. It will ideally consist of nine councillors (one from every Ward). The Town Clerk will have delegated authority to submit observations to Waverley Borough Council or Surrey County Council, as appropriate, following consideration of matters by the Planning and Licensing

Consultative Group. The Group may refer a planning application to Full Council or an appropriate Committee/Working Group to consider and make observations. The quorum of the Planning Consultative Group shall be three councillors with one officer in attendance. On the Planning and Licensing Consultative Group, councillors determine applications and advise officers on the relevant comments they wish to be included in the Council's responses to the relevant Planning or Licensing Authority.

### 15.3 **Procedures**

- a) Every Committee or Working Group will at its first meeting, unless the appointment was made at the last Council meeting when membership of the Working Group was determined, before proceeding to any other item on the agenda, elect a Chair/Lead Member (and can elect a Vice-Chair) who will normally hold office until the next Annual Meeting of the Council. The Chair/Lead Member will chair meetings of the Committee or Group, act as spokesperson for the Committee or Group and shall be responsible for reporting its activities to full Council.
- b) Ordinary meetings of Working Groups will be held on the dates adopted by Council and at a time agreed between the Lead Member and the Town Clerk. The quorum shall be 3 councillors accompanied by an officer.
- c) The Chair/Lead Member of a Committee or Working Group or the Town Mayor/Chair of the Council may summon an additional meeting of that Committee, Working/Task Group as appropriate at any time by requesting the Town Clerk to issue a summons for the meeting.
- d) Committee and Working Group agendas will be assembled in three parts:
  - i. Part 1 – Items for decision/recommendation,
  - ii. Part 2 – Items for information
  - iii. Part 3 – Confidential items.
- e) Any Committee or Working Group desiring to incur expenditure shall give the Town Clerk a written estimate of the expenditure recommended for the coming year no later than October.
- f) Every Committee and or Working Group shall present a report of its activities to the next Council Meeting.
- g) A member who has proposed a resolution, which has been referred to any Committee and/or Working/Task Group of which they are not a member, may explain their resolution to the Committee, Working/Task Group but shall not vote.
- h) Any member of the Council who is not a member of a Committee and/or Working/Task Group shall nevertheless be entitled to attend any meeting of that Committee, Working/Task Group but they shall not be entitled to vote, and shall not take part in the consideration of any business save by leave of the Chair of the meeting.
- j) Any Council member attending in accordance with Standing Order 15.3-h, may be invited to speak on matters under discussion of which they may have special knowledge, such an invitation would be at the discretion of the Chair.
- k) Members of Committees and Working Groups will address remarks/observations to the Chair but will not be bound by the Standing Order preventing them from speaking more than once.
- l) Members of Committees and Working Groups entitled to vote, shall vote by show of hands.

- m) ***The Mayor/Chairmen/Lead Members of Committees and Working Groups shall in the case of an equality of votes have a second or casting vote whether or not they have exercised their original right to vote.***

## **16. Resolutions on Sealing & Expenditure**

- 16.1 Other than in the case of an Emergency, any resolution which, if carried, would in the opinion of the Town Mayor/Chair, substantially increase the budgeted expenditure upon any service which is under the management of the Council or substantially reduce the revenue at the disposal of any Committee, Working/Task Group, or which would involve unbudgeted capital expenditure, will, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.
- 16.2 The Council shall approve written estimates for the coming financial year at a meeting before the end of the month of December and set its Precept before the end of January.
- 16.3 All payments by the council shall be authorised, approved and paid in accordance with the law, proper practices and the council's Financial Regulations. The Strategy and Resources Working Group will regularly monitor and review all transactions made and report to Council. All transactions for the previous period will be available to Councillors for inspection and review by councillors for compliance.
- 16.4 ***A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution. The Council's Common seal alone shall be used for sealing documents. It shall be applied by the proper officer in the presence of two councillors who shall sign the document as witnesses.***

## **17. Discussions and Resolutions Affecting Employees of the Council**

- 17.1 A matter personal to a member of staff that is being considered by a meeting of Council or the Strategy & Resources Working Group or the HR Panel is subject to standing order 22 (confidentiality).
- 17.2 Any persons responsible for all or part of the management of staff shall treat the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters as confidential and secure.
- 17.3 The council shall keep all written records relating to employees secure.
- 17.4 Only persons with line management responsibilities shall have access to staff records referred to in standing orders 17.2 and 17.3 above if so justified.
- 17.5 Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 17.2 and 17.3 above shall be provided only to the Town Clerk and the Mayor.
- 17.6 Access to relevant records will be provided to the Chair of the HR Panel as required for the conduct of its business.
- 17.7 If at a meeting a question arises relating to the appointment, conduct, promotion, dismissal, salary or conditions of service, of any person employed by the Council, it will not be

considered until Councillors have decided whether the press and public will be excluded.

## 18. Conduct at Meetings - Code of Conduct

- 18.1 **All councillors must observe the Council's Code of Conduct (as amended), a copy of which is annexed to these Standing Orders**, and the Civility and Respect Pledge made by Farnham Town Council.
- 18.2 All councillors shall undertake training in Civility and Respect and the code of conduct within 6 months of the delivery of their declaration of acceptance of office.
- 18.3 Councillors and any co-opted councillor, must within 28 days of their election or (in the case of a co-opted councillor) their appointment, notify the Town Clerk in writing (for registration in Farnham Town Council's Register of Interests) of any interests they are required to register under the Farnham Town Council Code of Conduct. They must also, within 28 days of becoming aware of any new or change to any interest they are required to register under the Authority's Code, notify the Town Clerk of that new interest or change.

Where a Councillor has an interest that, in accordance with the Farnham Town Council's Code of Conduct and any guidance, procedures or requirements issued by the Town Clerk or Monitoring Officer, precludes that Councillor from:

- (i) participating, or participating further, in any business before a meeting, or
- (ii) participating in any vote, or further vote, taken on the matter at the meeting

that Councillor must withdraw from the meeting

- 18.4 **A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on their right to participate and vote on that matter. An interest arising from the Code of Conduct shall be recorded in the minutes.**
- 18.5 At a meeting no person will persistently disregard the ruling of the Town Mayor/Chair, wilfully obstruct business, or behave irregularly, offensively, improperly or in such a manner as to bring the Council into disrepute or act in such a manner as to breach the Code of Conduct adopted by the Council.
- 18.6 If, in the opinion of the Town Mayor/Chair, a councillor or member of the public has ignored paragraph 18.5 of these Standing Orders, the Town Mayor/Chair shall indicate to the Council their opinion and after that, any councillor may move that the councillor or member of the public named be not heard or leave the meeting, and the motion, if seconded, shall be agreed without discussion.
- 18.7 If either of the motions mentioned in paragraph 18.6 above are ignored, the Town Mayor/Chair may adjourn the meeting or take such further steps as necessary to enforce them.
- 18.8 The Council will deal with complaints against the Council or any Officer or Councillor in the manner as adopted by the Council's procedures except for those complaints which should be properly directed to the Monitoring Officer or the relevant external body for consideration.

## **Dispensations**

- 18.9 The Town Clerk, may authorise a dispensation for Councillors under the Code of Conduct, after consultation with the Monitoring Officer if appropriate, in accordance with Section 33 of the Localism Act 2011. A dispensation granted under section 33 must specify the period for which it has effect, and that period may not exceed four years.
- 18.10 **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.
- 18.11 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.
- 18.12 A decision as to whether to grant a dispensation shall be made by the Proper Officer and that decision is final.
- 18.13 ***A dispensation may be granted in accordance with standing order 18.12 above if having regard to all relevant circumstances the following applies:***
- 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*** (eg the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business) **or**
  - 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*** (such as for the setting of the budget or precept).

## **19. Code of conduct complaints**

- 19.1 Upon notification by Waverley Borough 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 22, report this to the council.
- 19.2 Where the notification in standing order 19.1 relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Mayor and Leader of Council of this fact, and 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 19.4 below.
- 19.3 The council may:
- i. provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
  - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter.

- 19.4 *Upon notification by Waverley Borough Council that a councillor or non-councillor with voting rights has breached the council's code of conduct, the council shall consider what, if any, action to take against them. Such action excludes disqualification or suspension from office.*

## **20. Management of Information**

- 20.1 *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.*
- 20.2 *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).*
- 20.3 *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.*
- 20.4 *Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.*
- 20.5 *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.*
- 20.6 *The Council, shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.*

## **21 Responsibilities Under Data Protection Legislation**

- 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.*

## **22. Responsibilities to Provide Information**

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

## 23. Interests & Canvassing/Recommendations

- 23.1 ***If a councillor has a personal interest as defined by the Farnham Town Council Code of Conduct then they shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required.***
- 23.2 Unless they have been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which they have a disclosable pecuniary interest. The councillor/non-councillor may return to the meeting after it has considered the matter in which they had the interest. **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.
- 23.3 ***The Town Clerk may be required to compile and hold a register of councillors' interests in accordance with agreement reached with the Monitoring Officer of the Responsible Authority and/or as required by statute.***
- 23.4. The obligations and disabilities imposed by this standing order shall also apply to a member of a Committee and/or Working/Task Group who is **not** also a member of the Council who has a personal or prejudicial interest in a matter under consideration at a meeting.
- 23.5 If a candidate for any appointment under the Council is to their knowledge related to any councillor or to the holder of any office under the Council, they and the person to whom they are related shall disclose the relationship in writing to the Town Clerk. A candidate who fails so to do will be disqualified from the appointment and, if appointed, will be dismissed without notice. The Town Clerk shall report to the Council or to the appropriate Committee, Working/Task Group any such disclosure. Where a relationship to a councillor is disclosed, the preceding clauses of this Standing Order 20 shall apply as appropriate.
- 23.6 Canvassing of members of the Council or of any Committee, Working/Task Group directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment.
- 23.7 A member of the Council or of any Committee, Working/Task Group shall not solicit any person for appointment to or by the Council or recommend any person for an appointment or promotion; but, any such councillor may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- 23.8 Standing Order 20 shall apply to tenders as if the person making the tender were a candidate for an appointment.
- 23.9 The Town Clerk shall make known the purpose and importance of the relevant sections of this Standing Order 20 to every candidate for appointment.

## 24. Inspection of Documents

- 24.1 ***All Minutes and formal Notes kept by the Council and by any Committee and/or Working/Task Group shall be open for the inspection of any member of the Council.***
- 24.2 ***Minutes and formal Notes shall also be open to the inspection of any local government elector of the parish as required by section 228 Local Government Act 1972.***
- 24.3 Subject to standing orders to the contrary or in respect of matters which are confidential, a councillor may, for the purpose of their official duties (but not otherwise), inspect any document in the possession of the Council or a Committee or a sub-Committee and/or Working/Task Group and request a copy for the same purpose.



## 25. Confidential Business & Unauthorised Activities

- 25.1 No member of the Council, a Committee or a Working/Task Group will disclose to any person in any form who is not a member of the Council any business that is declared confidential by the Council, the Committee or the Working/Task Group.
- 25.2 Any councillor who disobeys Standing Order 22.1 may be removed from a Committee and Working/Task Group by resolution of the Council and the matter will be reported to the Monitoring Officer and the relevant Standards Panel or external body.
- 25.3 No member of the Council or of any Committee and/or Working/Task Group shall, unless specifically authorised so to do by Council:-
- a) Inspect in the name of or on behalf of the Council any lands or premises which the Council has a right or duty to inspect;
  - b) Issue orders, instructions or directions to organisation or persons, including to Council staff.

## 26. Planning Applications

- 26.1 The Town Clerk will, as soon as it is received, record the following information for each planning application notified to the Council:
- a) the date on which it was received;
  - b) the name of the applicant and application reference;
  - c) the place to which it refers.
- 26.2 The Town Clerk shall refer every planning application received to the Planning and Licensing Consultative Group.

## 27. Financial Matters and Procurement

- 27.1 The Council shall consider and approve Financial Regulations drawn up by the Responsible Financial Officer. Such Regulations shall include detailed arrangements for the following:
- a) the accounting records and systems of internal control;
  - b) the assessment and management of risks faced by the Council;
  - c) the work of the Internal Auditor and the receipt of regular reports from the Internal Auditor which shall be required at least annually;
  - d) the financial reporting requirements of members and local electors;
  - e) procurement policies (subject to (2) below) including the setting of values for different procedures where the contract has an estimated value less than £50,000 and whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise”.
- 27.2 Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £25,000 shall be procured on the basis of the Public Contracts Regulations 2015.
- 27.3 Any formal tender process shall comprise the following steps:
- a) a public notice of intention to place a contract to be placed on the government Contracts Finder website;
  - b) a specification of the goods, materials, services and the execution of works shall be drawn up;
  - c) tenders are to be sent, in a sealed marked envelope, to the Clerk by a stated date and time;

- d) tenders submitted are to be opened, after the stated closing date and time, by the Clerk and at least one member of Council;
  - e) tenders are then to be assessed and reported to the appropriate meeting of Council.
- 27.4 Neither the Council, nor any Committee or Working/Task Group, is bound to accept the lowest tender, estimate or quote. Any detailed tender notice shall contain a reference to the relevant portions of Standing Orders 23 regarding improper activity.
- 27.5 The Financial Regulations of the Council shall be subject to regular review for fitness of purpose, at least once every four years.
- 27.6 ***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).***
- 27.7 ***A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of specified thresholds for a public service or supply contract; a public works contract; or public contract in connection with the supply of gas, heat, electricity, drinking water, transport services a shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015.***

## 28. Accounts and Financial Statement

- 28.1 Proper practices” in standing orders refer to the most recent version of “Governance and Accountability for Local Councils – a Practitioners’ Guide”.
- 28.2 All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council’s financial regulations.
- 28.3 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 the Council’s income and expenditure for each quarter; the Council’s aggregate income and expenditure for the year to date; 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.
- 28.4 As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide each councillor with a statement summarising the Council’s income and expenditure for the last quarter and the year to date for information; and 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.
- 28.5 The year-end accounting statements shall be prepared in accordance with proper practices and apply the income and expenditure accounts for the year to 31 March. 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.

## **29. Standing Orders Generally**

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.

- a) 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 6 councillors to be given to the Proper Officer in accordance with standing order 6.
- b) The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible.
- c) The decision of the Chair of a meeting as to the application of standing orders at the meeting shall be final.