



## **STANDING ORDERS (WALES) 2018**

### **1. CHAIR/MAYOR OF THE COUNCIL**

- a) The Chair will be appointed at the Annual Meeting and will preside over monthly Council Meetings, (i.e. the meeting of the full Council convened as the “corporation”) with full authority to manage the business of the meeting in compliance with law and these Standing Orders.
- b) The Chair, provided that they have completed at least twelve months service on the Town Council, shall be elected by the Councillors (Members) of the Council.
- c) Any Member who has served on the Council and has not been appointed Chair shall be appointed Chair in preference to any other Member who has been Chair.
- d) No executive authority or powers other than as may be specified in these Standing Orders are vested in the office of Chair (or that of Vice Chair) unless such have been formally agreed by the Council and comply with the statutory limitations on the delegation of Council business.
- e) In consequence of Menai Bridge’s status as a “town” the office of Chair in Menai Bridge carries with it the title of “Mayor”. This is an honorific and confers no rights or duties additional to those vested by law with the office of Chair.
- f) In the capacity of town “Mayor” the Chair of the Council is identified as the town’s “first citizen” and expected to fulfil ceremonial, ambassadorial and representational functions as identified in the Council’s Civic Protocol.
- g) To assist in upholding the dignity of the mayoralty and meeting the requirements of the Civic Protocol the Mayor shall receive such a personal allowance for the year as the Council may determine.
- h) The Mayor’s Allowance is to be spent at their discretion with reference to the Civic Protocol and advice from the Clerk as necessary and accounted for at the end of the civic year by way of a list of expenditures incurred submitted to the Clerk and made available to a Council Meeting.

## **2. VICE CHAIR/DEPUTY MAYOR**

- a) At the Annual Meeting the Council shall appoint as Vice Chair a Member who has completed at least twelve months service on the Town Council.
- b) If for any reason the Chair is unable to act or the office of Chair is vacant the Vice Chair may discharge all functions which the Chair as such might lawfully discharge.
- c) The Vice Chair, if still a member of the Council, will at the following Annual General Meeting automatically take the position of Chair unless they specifically request not to.
- d) The office of Vice Chair in Menai Bridge carries with it the title of “Deputy Mayor”. This is an honorific and confers no rights or duties additional to those vested by law with the Vice Chair.
- e) Should the Mayor be unavailable the Deputy Mayor, at the request of the Mayor, or, in their absence, the Clerk, may fulfil such civic functions as are identified in the Civic Protocol, recouping any expenses necessarily incurred from the general provision for Councillors’ expenses.

## **3. CHAIRING COUNCIL MEETINGS**

- a) The Chair of the Council, or in their absence the Vice Chair, shall chair or “preside” at Council Meetings.
- b) In the event that the persons normally expected to preside the meeting are unable to, those present should decide who amongst them shall preside. The Clerk should supervise the selection by inviting nominations and putting them to the vote. Where a Chair has to be selected, the meeting starts when the selection decision is made. The minutes should record the selection of the Chair.
- c) The Member selected to preside under 3(b) above may exercise all the powers and duties vested in the office of Chair in relation to the conduct of the meeting.

## **4. COUNCIL MEETINGS**

- a) Council Meetings shall be held at monthly intervals as per a published annual schedule, to begin at 7.00 p.m., and not to exceed 2 hours 30 minutes in duration unless in exceptional circumstances.
- b) The annual schedule of Council Meetings (and Committee and Sub-committee meetings) shall so far as possible be published in advance to enable Members to arrange their affairs during the civic year so as to maximise their attendance at meetings to which they have been summonsed.
- c) The Statutory Annual Meeting in an election year shall be held on, or within fourteen days after the day on which the Councillors elected at the election take office and in any other year the annual meeting shall be held on such a day in May as the Council may determine.
- d) An Extraordinary Council Meeting may be called at any time by the Chair.
- e) An Extraordinary Council Meeting may be called at any time by two or more Councillors on their requesting that the Chair use her/his power to call one.

f) If the Chair refuses to call an Extraordinary Council Meeting after a request for that purpose signed by two or more Councillors has been presented to them, or, without refusing, fails to call one within seven days after receiving the request, then any two members of the Council may immediately call an Extraordinary Council Meeting.

g) Three clear days' notice (see g) vi below) at least should be given before a Council Meeting, including any Extraordinary Council Meeting, and the following protocol will be followed:

*i. Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.*

ii. The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.

iii. Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.

*iv. Notice of the time, place and agenda of the intended meeting shall be fixed in such prominent places in the community as Council has judged will give the public adequate time and opportunity to arrange to attend should they wish.*

*v. Notice of the time, place and agenda of the meeting shall also be posted on the Council's website at least three clear days before a Council Meeting including any Extraordinary Council Meeting.*

*vi. A formal summons requiring the presence of all Councillors to fulfil their legal duty to attend and specifying the business proposed to be transacted at the meeting shall be sent by post or electronically to the usual place of residence of every member of the Council.*

*vii. Attendances and absences will be clearly recorded in the Minutes of the meeting.*

*viii. Members who do not attend a meeting to which they have been summonsed are required either to have obtained the prior approval of the Council or to submit an acceptable explanation for absence to be recorded by the Clerk.*

*ix. The minimum three clear days for notice of a meeting is defined in law as not to 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.*

i) In compliance with legislation and the Council's Welsh Language Scheme Welsh and English have equal status in the conduct of the Council's business and simultaneous translation facilities will be provided at all Council Meetings for the use of Councillors, Officers, members of the public and visitors.

j) In compliance with equalities legislation and the Council's Equality and Diversity Policy such reasonable adjustments shall be made as are necessary and practicable to enable participation in Council meetings by any person whose contribution might otherwise be prevented or impeded by reason of any illness, impairment or disability.

**k) Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's prior written consent.**

**l) 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.**

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

**n) The Chairman of the Council, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman of the Council (if there is one), if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**

**o) 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.**

**p) The chairman 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 his casting vote whether or not he gave an original vote.**

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

**f) Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.**

**g) A councillor or a non-councillor with voting rights who has a personal or prejudicial interest in a matter being considered at a meeting which limits or restricts his right to participate in a discussion or vote on that matter is subject to obligations in the code of conduct adopted by the Council.**

## **5. ROLES OF THE PROPER OFFICER AND RESPONSIBLE FINANCIAL OFFICER**

**(a) Where a statute, regulation or order confers functions or duties on the Proper Officer of the Council in the following cases, the Proper Officer shall be the Clerk**

- i) To receive declarations of acceptance of office**
- ii) To receive and record notices disclosing interests at meetings**
- iii) To receive and retain plans and documents**
- iv) To sign notices and other documents on behalf of the Council**
- v) To receive copies of the bylaws made by the County Council**
- vi) To certify copies of bylaws made by the Council**
- vii) To sign and issue summonses to attend all meetings of the Council**
- viii) To keep proper records of Council meetings.**

**(b) The Clerk, as Proper Officer, is also responsible for advising the Council on the proper interpretation and implementation of these Standing Orders and on any matters of law pertinent to the Council's business, including particularly the proper exercise of its Powers and Duties.**

(c) The Responsible Financial Officer (whether that office is held by the Clerk or by another person) will fulfil all those duties and functions set out in the Council's Financial Regulations and in the "proper practices" guidance, (*"Governance and Accountability for Local Councils in Wales – A Practitioner's Guide" [2011/14]*), including the provision of statutory reports and financial management information to Council Meetings.

## **6. QUORUM**

a) Five members shall constitute a quorum for Council Meetings. A resolution to suspend any part of the Standing Orders shall be adopted only by two thirds of the votes cast on the motion.

b) If a quorum is not present when the Council meets or if during the meeting the number of Councillors falls below the quorum, the business not transacted at that meeting shall be transacted at the next Council Meeting or on such day as the Chair may arrange.

c) Community Youth Representatives cannot be counted as part of a quorum for Council Meetings or Committee or Sub-Committee meetings.

## **7. VOTING**

a) Voting at meetings shall be by show of hands, or, if the Council so decides, by secret ballot.

b) Any Member may request a recorded vote; the request must be made before the vote is taken. The Clerk shall record the names of the members who voted on the question so as to show whether they voted for or against or abstained.

c) The Chair, or Vice-Chair or another Member chairing the meeting in their absence, may vote as a Councillor on any matter, and in the event of an equality of votes s/he may give an additional casting vote.

d) Community Youth Representatives shall be permitted to participate in Council Meetings and Committee or Sub-committee meetings depending on the role that the Council has determined for them but shall have no voting rights.

## **8. DELEGATION**

a) Delegation of responsibilities is entirely a matter for Council or a Committee or Sub-Committee to which specific powers to delegate have been given, and any such delegation and its scope and terms of reference shall be clearly minuted.

b) Delegation to Committees but not Sub-Committees may include the power to spend money within the Council's budget, but the power to set the budget or precept cannot lawfully be delegated to any Committee or Sub-Committee nor to the Clerk / Responsible Financial Officer.

c) Although Council and Sub/Committees in which a power to delegate has been vested can exercise such a power neither Council nor any Sub/Committee has the lawful authority to delegate any powers to the level of any individual Councillor including the Chair and the Deputy Chair.

d) Notwithstanding the available powers to delegate that the Council or a Committee may have it is always open to the Council or Committee to undertake the task directly itself without delegation.

e) No Officer or other employee of the Council has authority or permission to delegate any part of their proper responsibilities as defined in law or specified within their job descriptions to any

Committee, Sub-committee, group of Members, or any individual Member including the Chair and Deputy Chair.

## **9. ORDER OF BUSINESS (ANNUAL MEETING)**

- a) Newly elected councillors are required to make Declarations of Acceptance of Office before acting. In an election year they should do this in the presence of each other and of the Clerk before the Annual Meeting begins.
- b) Having made the Declaration each new Member shall be given a hard copy of the Code of Conduct and be required to sign for its receipt and an undertaking to abide by its requirements.
- c) Having made the Declaration each new Member shall be required to confirm whether or not they have party affiliation to declare as required by law and confirm this in writing on an appropriate pro forma.
- d) At each Annual Meeting the first business shall be:
  - i. To elect a Chair.
  - ii. To receive the Chair's declaration of acceptance of office.
  - iii. If the person elected Chair is absent a Chair must be appointed by the Council for the meeting.
  - iv. To elect a Vice Chair.
  - v. To issue to the Chair and Vice Chair in their Mayoral capacities copies of the Civic Protocol and require them to sign for receipt and acceptance.
  - vi. To nominate members to liaise with other bodies on behalf of the Town Council.
  - vii. To appoint Members to Committees and Sub-committees as necessary.
  - viii. To confirm the Terms of Reference of all standing Committees and Sub-committees.
  - ix. To review and re-adopt the Council's Standing Orders, incorporating any amendments formally proposed and agreed.
  - x. To review and re-adopt the Council's Financial Regulations, incorporating any amendments formally proposed and agreed.
  - xi. To receive a list of the Council's extant policies and procedures and confirm their re-adoption or otherwise.
- e) Other items may then be added to the agenda as proposed by Members but subject to the Clerk's ruling as to their appropriateness for inclusion in the proceedings of the Annual Meeting.

## **10. ORDER OF BUSINESS (ORDINARY MEETING)**

- a) To receive such declaration of acceptance of office (if any) as are required by law.
- b) After the first business has been completed the order of business; unless the Council otherwise decides on the grounds of urgency, shall be as follows:
  - i. To read and consider the minutes provided that if a copy has been circulated to each member not later than the day of issue of summons to attend the meeting the minutes shall be taken as read.
  - ii. After consideration to approve the minutes by signature of the presiding Chair as a correct record.
  - iii. To deal with business expressly required by statute to be done.
  - iv. To receive such communications as the presiding Chair may wish to lay before the Council.
  - v. To answer any questions.

- v To dispose of any business, if any, remaining from the last meeting.
- vii To receive and consider reports and minutes of committees, advisory committees and working groups.
- viii To receive and consider reports from officers of the Council.

c) The Chair may vary the order of business without requiring voting or discussion.

## **11. RESOLUTIONS MOVED WITHOUT NOTICE**

The following matters may be moved without notice:

- i) To appoint a Chair of a meeting.
- ii) To correct the minutes.
- iii) To alter the order of business.
- iv) To proceed to the next business.
- v) To refer a matter to a committee or working group.
- vi) To appoint a committee or working group members
- vii) To adopt a report.
- viii) To amend a motion.
- ix) To give leave to withdraw a motion or amendment.
- x) To consider otherwise than in committee a question affecting an employee of the Council.
- xi) To exclude the press.
- xii) To exclude the public.
- xiii) To silence or reject from the meeting a member named for misconduct.

## **12. MOTIONS REQUIRING WRITTEN NOTICE**

a) All motions requiring written notice shall be circulated to all Councillors in an electronic or hard copy stating the name of the proposer(s) at least seven days prior to the meeting at which they are to be considered.

b) No motion may be moved at a meeting unless it is included in the agenda and the text has been reproduced in full.

c) The Proper Officer may, before including a motion in the agenda, correct obvious grammatical or typographical errors in the wording of the motion. If the Proper Officer considers the wording of a motion received is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer in clear and certain language at least seven clear days before the meeting.

d) If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Chair of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to consider whether the motion shall be included or rejected in the agenda.

e) Having consulted the Chair or Councillors the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.

## **13. QUESTIONS**

a) A Member may ask the Chair any questions concerning the business of the Council.

b) A Member with or without notice may ask the Chair of a Committee or Sub-Committee any question.

c) Where the reply to a question cannot be answered immediately, it shall be sufficient for the reply to be circulated to members of the Council with the minutes of the meeting at which the question was asked.

#### **14. DISORDERLY CONDUCT**

a) No member shall misconduct himself by persistently disregarding the ruling of the Chair, by wilfully obstructing business, or by behaving irregularly, offensively, improperly or in such a manner as to scandalise the Council or bring it into contempt or ridicule.

b) If in the opinion of the Chair, a member has so misconducted himself, the Chair, shall express that opinion to the Council and thereafter any member may move that the member named be no longer heard or that the member named do leave the meeting, and the motion, if seconded, shall be put forthwith without discussion.

c) If either of the motions mentioned in paragraph (b) is disobeyed, the Chair may suspend the meeting or take such further steps as may reasonably be necessary to enforce them.

#### **15. RIGHT TO REPLY**

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

#### **16. ALTERATION OF RESOLUTION**

A member may, with the consent of his seconder, move amendments to his own resolution.

#### **17. RESCISSIONS OF PREVIOUS RESOLUTION**

a) A decision (whether affirmative or negative) of the Council shall not be reversed within six months save by a special resolution submitted in writing and bearing the signatures of at least four Members.

b) When a special resolution has been disposed of, no similar resolution may be moved within six months.

c) This standing order shall not apply to resolutions moved in pursuance of the report or recommendation of a Committee, Sub-Committee, or working group.

#### **18. VOTING ON APPOINTMENTS**

Where more than two persons having been nominated for any position to be filled by the Council and there is no absolute majority in favour of one person, the name of the person having the least votes shall be struck off the list and a fresh vote taken, and so on until a majority of votes is given of one person.



## **19. DISCUSSION AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL**

If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or condition of service, of any person employed by the Council, it shall not be considered until the Council has decided whether or not the public and press shall be excluded.

## **20. EXPENDITURE**

Orders for the payment of money shall be authorised by the resolution of the Council and signed or authorised electronically by two approved Member signatories and the Responsible Financial Officer/ or by three approved Member signatories.

## **21. COMMITTEE, SUB-COMMITTEES AND WORKING GROUPS**

The Council may at the Annual Meeting appoint standing Committees/Sub-committees and may at any other time appoint such other committees as are necessary, but subject to any statutory provision in that behalf **shall not**:

- a) Appoint any member of a committee/sub-committee so as to hold office later than the next Annual Meeting, or
- b) At any time, dissolve or alter the membership of a committee/sub-committee without a formal motion to do so carried in a Council Meeting.
- c) Every committee/sub-committee shall at its first meeting before proceeding to other business, elect a Chair and may elect a Vice Chair unless such appointments have already been agreed in a Council Meeting.
- d) Chairs and Vice Chairs of Committees will hold office until the next Annual Meeting.
- e) Every Committee/Sub-committee shall have formal Terms of Reference approved in a Council Meeting and shall not address any matter that is not included in them.
- f) A committee/sub-committee may convene a task-and-finish working group to assist in achieving any purpose specified in its Terms of Reference.
- g) Except where ordered by the Council the quorum of a Committee/Sub-committee or working group shall be three members.
- h) The Standing Order on interests of members in contracts and other matters shall apply to Committee/Sub-committees and working groups insofar as they are appropriate.
- i) Meetings of Committees/Sub-committees are public meetings and subject to the same notice requirement as Council Meetings with the same proviso that the public and/or the press may be excluded from any parts of the meeting as are identified in formal motion for exclusion.
- j) In accordance with the Council's Welsh Language Scheme a member of a committee or sub-committee wishing to participate in the Welsh language shall give reasonable notice to the Clerk who will arrange for simultaneous translation facilities to be made available.
- k) Meetings of working groups are not public meetings, are exempted from the rules concerning public notice and legal summons and the membership may determine the language of the meetings for themselves.

l) In accordance with the Council's Equality and Diversity Policy such reasonable adjustments will be made as may be necessary and practicable to facilitate the participation by any Councillor or other person in the work of a Committee (including advisory committees) Sub-committee or working group which might otherwise be impeded or prevented by reason of an illness, impairment or disability.

## **22. ADVISORY COMMITTEES**

- a) The Council may appoint Advisory Committees.
- b) The Clerk shall inform the members of any Advisory Committee of its terms of reference as agreed in Council.
- c) An advisory committee may make recommendations and give notice thereof to the Council.
- d) An advisory committee may consist wholly of persons who are not members of the Council.

## **23. VOTING IN COMMITTEES/SUB-COMMITTEES**

- a) Voting in Committees shall be by show of hands.
- b) Chairs of Committees and Sub-committees shall have a second or casting vote.

## **24. PRESENCE OF NON-MEMBERS OF COMMITTEES AT COMMITTEE MEETINGS**

- a) A Councillor who has proposed a motion which has been referred to any Committee of which he is not a member, may explain his motion to the Committee but shall not vote.
- b) Any Councillor shall, unless the Council otherwise order, be entitled to be present at the meetings of any Committee or Sub-committee of which they are not a member and may be invited to participate at the chair's discretion but shall have no vote.

## **25. MINUTES OF MEETINGS**

- a) The minutes of Council Meetings will be prepared by the Clerk and circulated in draft form to all Members either electronically or in hard copy as requested as soon as possible after the meeting.
- b) In the absence of the Clerk a Member shall be selected by the Meeting to take the minutes of a Council Meeting.
- c) The minutes of Council Meetings will always be prepared and published in Welsh and English in accordance with the Council's Welsh Language Scheme.
- d) At any Committee or Sub-Committee at which the Terms of Reference require the attendance of the Clerk then the Clerk shall be the minute-taker and circulate draft minutes as soon as practicable after the meeting.
- e) The minute-taker at meetings at which the attendance of the Clerk is not required shall be selected from amongst the Members attending who will send draft minutes for circulation to the clerk for circulation as soon as practicable after the meeting.

- f) The minutes of all the Council's meetings shall be focused on outcomes. The names of the proposer and seconder of all motions and all decisions and consequent action points arising shall be clearly recorded, including delegated action, any relevant timescales or timetables and any specific procedures or processes to be followed.
- g) It will not usually be necessary to provide a narrative of different Members' contributions to discussion unless, in the minute-taker's judgement, this is necessary to convey strongly expressed divergences of opinion amongst Members and/or the matter is seen as important and/or sensitive in relation to the wider community interest.
- h) Minutes should always indicate the Power or Duty on which the Council is relying on in deciding any particular action and/or expenditure.
- i) Minutes shall always record the time at which meetings begin and end.
- j) All minutes have the status of a draft record until approved with any amendments by the next Council Meeting or the relevant Committee or Sub-Committee as appropriate.
- k) Once approved minutes of all meetings shall be posted as on the Council's website as required by law.
- l) Formal minutes are not required for working group meetings but a sufficient note of the outcomes of discussion should be made by the convenor/chair and circulated to the other members of a working group for their reference.

## **26. ACCOUNTS AND FINANCIAL STATEMENTS.**

- a) Except as provided in paragraph 26 (b) or by statute, all accounts for payment and claims upon the Council shall be laid before the Council by the Responsible Financial Officer.
- b) Where it is necessary to make a payment before it has been authorised by the Council, such payment shall be certified as to its correctness and urgency by the Responsible Financial Officer and authorised by the Committee, if any, having charge of the business to which it relates, or by the Chair or Vice Chair of the Council.
- c) All payments authorised under sub-paragraph (b) of this Standing Order or otherwise made without formal authority of the Council shall be separately included in the next schedule of payments laid before the Council.
- d) The Responsible Financial Officer may supply to each Member after the end of the financial year a statement of receipts and payments if required.

## **27. ESTIMATES/PRECEPTS**

Any Committee desiring to incur expenditure shall, no later than September give to the Responsible Financial Officer a written estimate of the expenditure recommended for the coming year, and such estimate shall be submitted to the Council at its precept meeting to take place no later than January.

## **28. CODE OF CONDUCT AND STATUTORY DECLARATIONS**

- a) All Members shall observe the Code of Conduct for Members as adopted by the Council.
- b) All Members shall be provided with information relating to the Code on the delivery of their declaration of acceptance of office.
- c) Any declarations of interest by Members shall be formally recorded and made available for public scrutiny including on the Council's website.
- d) All Members are required to confirm in writing to the Clerk at the start of every civic year those items of information about them as are required by law to be published on the Council's website.

## **29. CANVASSING OF AND RECOMMENDATIONS BY MEMBERS**

- a) Canvassing of members or any committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make this rule known to every candidate.
- b) A Member of the Council shall not solicit for any person any appointment or for any promotion; but, nevertheless, a Member may give a written testimonial of a candidates' ability, experience or character for submission to the Council with an application for an appointment.

## **30. INSPECTION OF DOCUMENTS**

- a) A Member for the purpose of his duty as such (but not otherwise), inspect any document in possession of the Council or a committee, and if copies are available shall, on request, be supplied for the like purpose with a copy.
- b) All minutes kept by the Council and by any committee shall be open for the inspection of any Member of the Council.
- c) The minutes of the Council shall be open to inspection by any local government elector of the community and shall be published on the Council's website in compliance with legal requirements.

## **31. UNAUTHORISED ACTIVITIES**

Unless specifically and formally authorised to do so by the Council, or by a relevant committee, sub-committee or working-group that has had the authority delegated to it, no individual Member of the Council nor any committee, sub-committee or working group shall in the name of or on behalf of the Council:

- a) inspect any lands or premises which the Council has a right or duty to inspect; or
- b) issue orders for goods and/or services, or purport to institute any Council tendering process;
- c) undertake any other activity that is within the job description of a paid employee of the Council;
- d) purport to give any order, instruction or direction to any of the Council's employees.

## **32. ADMISSION OF THE PRESS AND PUBLIC TO MEETINGS**

- a) The press and public shall be admitted to all ordinary meetings of the Council which may, however, temporarily exclude the public or the press or both. By means of the following resolution:

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

b) The Clerk shall afford to the press reasonable facilities for taking notes of any proceedings at which they are entitled to be present.

### **33. PUBLIC PARTICIPATION**

a) Ordinary meetings of the Council 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 lawful reasons for the public's exclusion.

b) At the invitation of the Chair members of the public are permitted to make representations, answer questions and give evidence in respect of any item.

c) The period of time which is designated for public participation shall not exceed 15 minutes.

d) Each member of the public is entitled to speak only once and shall not speak for more than 3 minutes.

e) A question asked by a member of the public during a public participation session at a meeting shall not require a response or debate.

f) The Chair may direct that a response to a question posed by a member of the public be referred to a Councillor or to the Proper Officer for a written or oral response.

g) A record of a public participation session at a meeting shall be included in the minutes of that meeting.

h) Members of the public are expected to conduct themselves with politeness and decorum. Any person behaving in an inappropriate manner at any point in the meeting will be asked to leave. If they refuse to leave the Chair may suspend the meeting until order is restored. Any future query from said person should be in writing three clear days before a Council meeting.

### **34. PHOTOGRAPHING, RECORDING, BROADCASTING OR TRANSMITTING PROCEEDINGS**

In the interests of transparency and democratic accountability photographing, recording, broadcasting or transmitting the proceedings of any meeting open to the public is permitted provided that this can be done without any undue disturbance to the proper conduct of proceedings.

### **35. CONFIDENTIAL BUSINESS**

a) No Member of the Council or of any Committee, Sub-committee or working group shall disclose to any person not a member of the Council any business declared to be confidential by the Council.

b) No Officer or other employee of the Council shall disclose to any person not a member of the Council any business declared to be confidential by the Council.

### **36. LIAISON WITH COUNTY COUNCILLORS**

A notice of a meeting shall be sent to the County Councillors for the Community who are invited to attend and contribute as appropriate at the invitation of the Chair.

### **37. FREEDOM OF INFORMATION**

The Town Council shall hold a Freedom of Information policy and deal with each request in line with the said policy.

### **38. VARIATION REVOCATION AND SUSPENSION OF STANDING ORDERS.**

a) Any part of the Standing Orders may be suspended by a resolution in relation to any specific item of business.

b) A resolution to suspend any part of Standing Orders must be carried by 2/3 (two thirds) of those voting on the motion.

c) A motion permanently to vary or revoke a Standing Order shall when proposed and seconded stand adjourned without discussion to the next ordinary meeting of the Council.

### **39. STATUS AND CURRENCY OF THE STANDING ORDERS.**

a) Taken together with the Council's Financial regulations these Standing Orders shall be the definitive guidance on the conduct of the Council's business always provided that they do not conflict with the law.

b) It shall be the responsibility of the Clerk as Proper Person to advise the Council of any changes to the law that would require these Standing Orders to be modified or amended in any way and to bring forward appropriate changes accordingly.

c) These Standing Orders will be reviewed on an annual basis at the Annual Meeting and then amended as necessary and re-adopted.

### **40. CIRCULATION AND PUBLICATION OF STANDING ORDERS.**

a) A copy of the Standing Orders shall be given to every member by the Clerk upon delivery by them of their Member's Declaration of Acceptance of Office.

b) Standing Orders shall be published on the Council's website and be made available in hard copy to any person.

### **41. MANAGEMENT OF INFORMATION**

**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.**

#### **42. EXECUTION AND SEALING OF LEGAL DEEDS**

**See also standing orders 15(b)(xii) and (xvii).**

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

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

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