WITLEY & MILFORD PARISH COUNCIL

Witley & Milford Parish Council Standing Orders
Reviewed: 29th May 2025. Next Review date: 28th May 2026

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These Standing Orders were considered and approved by Witley & Milford Parish Council at its meeting of 29th May 2025.

Signature of Chair: _____

Date: 29/5/25

1 MEETINGS

a **Meetings shall not take place in premises, which at the time of the meeting, are used for the supply of alcohol unless no other premises are available free of charge or at a reasonable cost.** (This is mandatory for full Council meetings.)

b **When calculating the 3 clear days' 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.** (This is mandatory for full Council and committee meetings.)

c **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice**

d **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.** (This is mandatory for full Council and committee meetings.) Temporarily excluding the public will be by means of the following resolution:

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

e Subject to standing order (1d) members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.

f The period of time designated for public participation at a meeting in accordance with standing order 1(e) above shall not exceed 10 minutes unless directed by the chair of the meeting.

g Subject to standing order 1(f) above, a member of the public shall not speak for more than 3 minutes.

h In accordance with standing order 1(e) above, 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.

i A person shall raise his hand when requesting to speak (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.

j Any person speaking at a meeting shall address his comments to the Chair.

k Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chair shall direct the order of speaking.

l **Subject to standing order 1(m), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To "report" means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide**

oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.

m **A person may not orally report or comment about a meeting as it takes place if he is present at the meeting of a parish council or its committees but otherwise may:**
- **(i) film, photograph or make an audio recording of a meeting;**
- **(ii) use any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later;**
- **(iii) report or comment or report on proceedings in writing during or after a meeting or orally report or comment after the meeting.**

n **In accordance with standing order 1d above, the press shall be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.** (This is mandatory for full Council and committee meetings.)

o **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair may in his absence be done by, to or before the Vice-Chair (if any).** (This is mandatory for full Council meetings.)

p **The Chair, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair, if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.** (This is mandatory for full Council meetings.)

q **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors or councillors with voting rights present and voting.**

r **The Chair 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 also standing orders 2(i) and (j) below.* (This is mandatory for full Council, committee and sub-committee meetings.)

s **Unless standing orders provides otherwise, voting on any 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. (This is mandatory for full Council.)

t 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 present and 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.

u **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 his right to participate and vote on that matter.**

v **No business may be transacted at a Full Council meeting unless at least one third of the whole numbers of members of the Council are present. The Council quorum will therefore be 6. No business may be transacted at a Committee or Sub-Committee meeting unless at least one third of the whole number of members of the Committee or Sub-Committee is present. In no case shall the quorum of a Committee or Sub-Committee meeting be less than 3.**

w **If a meeting is or becomes inquorate no business shall be transacted** and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting. (This is mandatory for full Council, committee and sub-committee meetings.)

x A meeting shall not exceed a period of 2 hours.

y The Amenities & Environment and Finance & General Purposes Committees shall meet at least six times in the Council year, the Staffing and CIL Committees will meet at least three times in the Council year, the Planning & Highways Group will meet at least 15 times in the Council year.

z Committee meetings will take place in the Council offices or Burton Pavilion on the first Thursday in the month (F&GP and A&E) or the second Thursday of the month (Staffing and CIL), starting at 8.00pm, unless otherwise agreed by the committee.

aa Planning & Highways Group meetings will be held remotely, using Zoom, on a Wednesday at 8.00pm every three weeks or such other day and time as the Group shall decide. Site meetings to view application sites will be arranged if requested by one or more members of the Group.

ab The Annual Parish Meeting, must assemble annually between 1st March and the 1st June (inclusive). The Council will hold a public meeting to facilitate a wider public discussion on local matters. The agenda for Annual Parish Meeting will be set by the Council and will reflect topical issues of public interest. The agenda must be signed by the Chair of the Council.

ac Where Council or a Committee is unable to meet or becomes inquorate to due to an emergency, the Clerk is delegated to make all decisions on behalf of the Council or Committee, in conjunction with the Chair and Vice Chair of the Council or Committee if they are available, in order that Council can continue to carry out its statutory functions. All members will be consulted on any such decisions.

ad The Planning and Highways Group is appointed to consider planning, highways and licensing applications and related matters. The Clerk and Assistant Clerk have delegated authority to submit observations to Waverley Borough Council or Surrey County Council, as appropriate, following consideration of matters by the Planning and Highways Group. The Group may refer a planning application to Full Council to consider and make observations.

2 ORDINARY COUNCIL MEETINGS

a **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the new councillors elected take office.**

b **In a year which is not an election year, the annual meeting of a Council shall be held on such a day in May as the Council may direct.**

c **If no other time is fixed, the annual meeting of the Council shall take place at 6pm.** Meetings of the Council shall be held at 8 pm unless the Council otherwise decides at a previous meeting.

d **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council directs.** These meetings shall be held on the last Thursday in the months of June, July, September, October, November, January, February, March and April.

e **The election of the Chair** and Vice-Chair (if any) **of the Council shall be the first business completed at the annual meeting of the Council.**

f **The Chair of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.**

g **The Vice-Chair of the Council, if any, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.**

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

i **In an election year, if the current Chair of the Council has been re-elected as a member of the Council, he shall preside at the meeting until a new Chair of the Council has been elected. He may exercise an original vote in respect of the election of the new Chair of the Council and must give a casting vote in the case of an equality of votes.**

j Following the election of the Chair of the Council and Vice-Chair (if any) of the Council at the annual meeting of the Council, the order of business shall be as follows:

(i) **In an election year, delivery by the Chair of the Council and councillors of their acceptance of office forms unless the council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chair of the Council of his acceptance of office form unless the council resolves for this to be done at a later date;**
(ii) Confirmation of the accuracy of the minutes of the last meeting of the council;
(iii) Receipt of the minutes of the last meeting of a committee;
(iv) Consideration of the recommendations made by a committee;
(v) review the delegation arrangements to committees, sub-committees, working parties, employees and other local authorities;
(vi) Appointment of members to existing committees;
(vii) appointment of any new committees, confirmation of the terms of reference, the number of members (including, if appropriate, substitute councillors) and receipt of nominations to them;
(viii) Appointment of any new committees in accordance with standing order 4 above;
(ix) review and adoption of appropriate standing orders
(x) 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;
(xi) review of representation on or work with external bodies and arrangements for reporting back;
(xii) In an election year, to make arrangements with a view to the council becoming eligible to exercise the general power of competence in the future;
(xiii) review of inventory of land and assets including buildings and office equipment;
(xiv) review the Council's and/or employees' membership of other bodies;
(xv) establishing or reviewing the Council's complaints procedure;

(xvi) establishing or reviewing the Council's procedures for handling requests made under the Freedom of Information Act 2000 and Data Protection legislation;
(xvii) establishing or reviewing the Council's policy for dealing with the press/media.;
(xviii) determining the time and place of ordinary meetings or the full council up to and including the next annual meeting of full council.

3 PROPER OFFICER

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

b The Council's Proper Officer shall:

(i) Sign and serve on councillors by delivery or post at their residences a summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee and sub-committee **at least 3 clear days before the meeting;**

(ii) Give public notice of the time, date, venue and agenda at least 3 clear days before the meeting of the Council or a meeting of a committee or sub-committee**, (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them);**

(iii) Subject to standing orders 4 (a) – (e) below, include in the agenda all motions in the order received unless a councillor has given written notice at least 10 days before the meeting confirming his withdrawal of it;

(iv) Convene a meeting of full Council for the election of a new Chair of the Council, occasioned by a casual vacancy in his office;

(v) facilitate inspection of the minute book by local government electors;

(vi) Receive and retain copies of byelaws made by other local authorities;

(vii) Receive and retain declarations of acceptance of office from councillors;

(viii) retain a copy of every councillor's register of interests;

(ix) assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;

(x) liaise, as appropriate, with the Council's Data Protection Officer;

(xi) 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 the council's financial regulations;

(xiv) refer a planning application received by the council to the Chair or in his absence Vice-Chair (if any) of the Planning & Highways Group within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next planned meeting of the Planning & Highways Group;

(xv) manage access to information about the council via the publication scheme.

4 MOTIONS REQUIRING WRITTEN NOTICE TO BE GIVEN TO THE PROPER OFFICER

a A motion shall relate to the responsibilities of the meeting for which it is tabled and, in any event, shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.

b No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least 10 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.

c The Proper Officer may, before including a motion in the agenda received in accordance with standing order 4(b) above, correct obvious grammatical or typographical errors in the wording of the motion.

d If the Proper Officer considers the wording of a motion received in accordance with standing order 4(b) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer in clear and certain language at least 6 clear days before the meeting.

e 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.

f Subject to standing order 4(e) above, the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.

g Motions received shall be recorded in a book for that purpose and numbered in the order that they are received.

h Motions rejected shall be recorded in a book for that purpose with an explanation by the Proper Officer for their rejection.

5 MOTIONS AT A MEETING THAT DO NOT REQUIRE WRITTEN NOTICE

a The following motions may be moved at a meeting without written notice to the Proper Officer:

(i) to correct an inaccuracy in the draft minutes of a meeting;
(ii) to move to a vote;
(iii) to defer consideration of a motion;
(iv) to refer a motion to a particular committee or sub-committee;
(v) to appoint a person to preside at a meeting;
(vi) to change the order of business on the agenda;
(vii) to proceed to the next business on the agenda;
(viii) to require a written report;
(ix) to appoint a committee or sub-committee and their members;
(x) to extend the time limits for speaking;
(xi) to exclude the press and public from a meeting in respect of confidential or sensitive information which is prejudicial to the public interest;
(xii) to not hear further from a councillor or a member of the public;
(xiii) to exclude a councillor or member of the public for disorderly conduct;
(xiv) to temporarily suspend the meeting;
(xv) to suspend a particular standing order (unless it reflects mandatory statutory requirements);
(xvi) to adjourn the meeting; or
(xvii) to close a meeting.

6 RULES OF DEBATE AT MEETINGS

a Motions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Chair's direction for reasons of expedience.

b Subject to standing orders 4 above, a motion shall not be considered unless it has been proposed and seconded.

c A motion on the agenda that is not moved by its proposer may be treated by the chair of the meeting as withdrawn.

d If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.

e An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.

f If an amendment to the original motion is carried, the original motion becomes the substantive motion upon which further amendment(s) may be moved.

g An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chair of the meeting, is expressed in writing to the chair.

h A councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.

i If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chair.

j Subject to standing order 1(k) below, only one amendment shall be moved and debated at a time, the order of which shall be directed by the chair of the meeting.

k One or more amendments may be discussed together if the chair of the meeting considers this expedient but each amendment shall be voted upon separately.

l A councillor may not move more than one amendment to an original or substantive motion.

m The mover of an amendment has no right of reply at the end of debate on it.

n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate of the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.

o Unless permitted by the chair of the meeting, a councillor may speak once in the debate on a motion except:

(i) to speak on an amendment moved by another councillor;
(ii) to move or speak on another amendment if the motion has been amended since he last spoke;
(iii) to make a point of order;
(iv) to give a personal explanation; or
(v) in exercise of a right of reply.

p During the debate of a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.

q A point of order shall be decided by the chair of the meeting and his decision shall be final.

r When a motion is under debate, no other motion shall be moved except:

(i) to amend the motion;
(ii) to proceed to the next business;
(iii) to adjourn the debate;
(iv) to put the motion to a vote;
(v) to ask a person to be silent or for him to leave the meeting;
(vi) to refer to a motion to a committee, sub-committee or working party for consideration;
(vii) to exclude the public and press;
(viii) to adjourn the meeting
(ix) to suspend any standing order, except those which are mandatory.

s Before an original or substantive motion is put to the vote, the chair of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.

t Excluding motions moved understanding order 6(r) above, the contributions or speaks by a councillor shall relate only to the motion under discussion and shall not exceed 3 minutes without the consent of the chair of the meeting.

7 CODE OF CONDUCT AND DISPENSATIONS

See also standing order 1(t) above.

a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the council.

b Unless he has 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 he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.

c Unless he has 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 he has another interest if so required by the council's code of conduct. He may return to the meeting after it has considered the matter in which he had the interest.

d **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.

e A decision as to whether to grant a dispensation shall be made by the Proper Officer and that decision is final.

f A dispensation request shall confirm:
(i) the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
(ii) whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
(iii) the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
(iv) an explanation as to why the dispensation is sought.

g Subject to standing orders 13(d) and (f) above, dispensations requests shall be considered [by the Proper Officer before the meeting or, if this is not possible, at the

start of the meeting for which the dispensation is required].

h **A dispensation may be granted in accordance with standing order 13(e) 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; 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.

8 QUESTIONS

a A councillor may seek an answer to a question concerning any business of the Council provided 3 clear days' notice of the question has been given to the Proper Officer.

b Questions not related to items of business on the agenda for a meeting shall only be asked during the part of the meeting set aside for such questions.

c Every question shall be put and answered without discussion.

9 MINUTES

a If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.

b No discussion of the draft minutes of a preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the minutes shall be raised in accordance with standing order 5(a)(iv) above.

c Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the Chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.

d If the Chair of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:

"The Chair of this meeting does not believe that the minutes of the meeting of the(_) held on [date] in respect of (_) were a correct record but his view was not upheld by the majority of the (_) and the minutes are confirmed as an accurate record of the proceedings."

e Upon a resolution which confirms the accuracy of the minutes of a meeting, any previous draft minutes or recordings of the meeting shall be destroyed.

10 DISORDERLY CONDUCT AT MEETINGS

a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chair of the meeting shall request such person(s) to moderate or improve their conduct.

b If person(s) disregard the request of the chair of the meeting to moderate or improve their conduct, any councillor or the chair of the meeting may move that the person be no longer heard or excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.

c If a resolution made in accordance with standing order 10(b) above, is disobeyed, the Chair may take such further steps as may reasonably be necessary to enforce it and/or may adjourn the meeting.

11 PREVIOUS RESOLUTIONS

a A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months except either by a special motion, the written notice whereof bears the names of at least 6 members of the Council, or by a motion moved in pursuance of the report or recommendation of a committee.

b When a special motion or any other motion moved pursuant to standing order 11(a) above has been disposed of, no similar motion may be moved within a further 6 months.

12 VOTING ON APPOINTMENTS

a Where more than 2 persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. Any tie may be settled by the Chair's casting vote.

13 EXPENDITURE

a Any expenditure incurred by the Council shall be in accordance with the Council's financial regulations.

b The Council's financial regulations shall be reviewed once a year.

c The Council's financial regulations may make provision for the authorisation of the payment of money in exercise of any of the Council's functions to be delegated to a committee, sub-committee or to an employee.

14 EXECUTION AND SEALING OF LEGAL DEEDS

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

b In accordance with a resolution made under standing order 14 (a) above, any two members of the Council, may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.

15 COMMITTEES

See also standing order 1 above.

a 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.

d The council may appoint standing committees or other committees as may be necessary, and:

(i) shall determine their terms of reference;

(ii) shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of full council;

(iii) shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;

(iv) shall, subject to standing orders 4(b) and (c) above, appoint and determine the terms of office of members of such a committee;

(v) may, subject to standing orders 4(b) and (c) above, appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer 3 days before the meeting that they are unable to attend;

(vi) shall, after it has appointed the members of a standing committee, appoint the chair of the standing committee;

(vii) shall permit a committee other than a standing committee, to appoint its own chair at the first meeting of the committee;

(viii) shall determine the place and notice requirements. **No business may be transacted at a meeting unless at least one third of the whole number of members of the committee are present and in no case shall the quorum of a meeting be less than 3**;

(ix) shall determine if the public may participate at a meeting of a committee;

(x) shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and

(xi) may dissolve a committee.

(xii) The Chair and Vice-Chair of the Council shall be members of every committee (sub-committee and working party.)

16 SUB-COMMITTEES & WORKING PARTIES

a Every committee may appoint sub-committees or working parties for purposes to be specified by the committee.

b The first business of any sub-committee or working party established under (16a) above shall be to elect a chair.

c The chair of a working party shall be a councillor.

d Except where ordered by the relevant committee the quorum of a sub-committee shall be 3 of its elected members; and of a working party shall be 3 of its elected members.

e Working parties may be established by Council, a committee or a sub-committee to address specific issues that are best dealt with outside of a Council, committee or sub-committee meeting. They shall act within the terms of reference set by or ratified by the Council and report back as specified in the terms of reference. Working parties shall cease to exist after reporting back unless a further report is requested.

17 EXTRAORDINARY MEETINGS

a The Chair of the Council may convene an extraordinary meeting of the Council at any time.

b If the Chair of the Council does not or refuses to call an extraordinary meeting of the Council within 7 days of having been requested in writing to do so by two councillors, any two

councillors may convene an extraordinary meeting of the council. The public notice giving the time, place and agenda for such a meeting must be signed by the two councillors.

c The Chair of a committee (or sub-committee) may convene an extraordinary meeting of the committee or sub-committee at any time.

d If the Chair of a committee (or sub-committee) does not or refuses to call an extraordinary meeting within 7 days of having been requested to do so by a quarter of the members of the committee (or sub-committee) councillors may convene an extraordinary meeting of a committee (or sub-committee). The statutory public notice giving the time, venue and agenda for such a meeting must be signed by 2 councillors.

e Where an extraordinary meeting is called, as per standing orders 17 a – d, within a week of a scheduled Council or committee meeting, the Council or committee may agree to postpone or cancel the scheduled meeting.

18 ADVISORY COMMITTEES

See also standing order 1 above

a The Council may appoint advisory committees comprised of a number of councillors and non-councillors

b 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.

d An advisory committee may make recommendations and give notes thereof to the Council.

19 ACCOUNTS AND FINANCIAL STATEMENTS

a "Proper practices" in standing orders refer to the most recent version of Governance and Accountability for Local Councils – A Practitioner's' Guide.

b All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.

c The Responsible Financial Officer shall supply to the Council a financial statement summarising the Council's receipts and payments for the accounting period year to date; and to each budget holding committee a financial statement including a comparison with the budget for the financial year.

d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:

(i) each councillor with a statement summarising the council's receipts and payments for the last quarter and the year to date for information; and

(ii) to the full council the accounting statements for the year in the form of Section 1 of the annual return, as required by proper practices, for consideration and approval.

e The year end accounting statements shall be prepared in accordance with proper practices and applying the form of accounts determined by the council (receipts and payments, or income and

expenditure) for a year to 31 March. A completed draft annual return shall be presented to each councillor before the end of the following month of May. The annual return of the council, which is subject to external audit, including the annual governance statement, shall be presented to council for consideration and formal approval before 30 June.

20 ESTIMATES/PRECEPTS

a **The Council shall approve written estimates for the coming year** at its meeting before the end of January.

b During November any committee desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year for scrutiny by the Finance and General Purposes Committee at their December meeting.

21 CANVASSING OF AND RECOMMENDATIONS BY COUNCILLORS

a Canvassing councillors or the members of a committee, sub-committee or working party, directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such an appointment. The Proper Officer shall disclose the requirements of this standing order to every candidate.

b A councillor or a member of a committee, sub-committee or working party shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for promotion; but, nevertheless, any such person may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.

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

d The Clerk shall make known the purport of this standing order to every candidate.

22 INSPECTION OF DOCUMENTS

a Councillors do not have a 'need to know' all aspects of council business and cannot claim an automatic right to see all council documentation and information. In other words, councillors are not permitted a fishing expedition in respect of council documentation and information simply because they are councillors. The following may prove helpful in establishing whether a councillor has a 'need to know'.

(i) If a councillor is a member of a committee, he has the right to inspect documents or to obtain information relating to the business of that committee;

(ii) If a councillor is not a member of a particular committee, he has to demonstrate why sight of the document(s)/or receipt of the information in question is necessary to enable him to perform his duties as a councillor;

(iii) If the councillor's motive for seeing the documents/obtaining information is indirect, improper or ulterior, then the documentation or information should be withheld.

23 RESTRICTIONS ON COUNCILLOR ACTIVITIES

a Unless authorised by a resolution, no individual councillor shall in the name or on behalf of the Council, a committee, sub-committee or working party:

(i) inspect any land and/or premises which the Council has a right or duty to inspect; or
(ii) issue orders, instructions or directions.

24 HANDLING CONFIDENTIAL OR SENSTIVE INFORMATION

a The agenda, papers that support the agenda, and the minutes of a meeting shall not disclose or undermine confidential or sensitive information which for special reasons would not be in the public interest.

b Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.

c A councillors in breach of 24 (a) above may be removed from a committee, sub-committee or working party by a resolution of the council.

25 HANDLING STAFF MATTERS

a If a meeting considers any matter personal to a Council employee, it shall not be considered until the Chair of the Staffing Committee has decided whether or not the press and public shall be excluded pursuant to standing order 1(c) above.

b Subject to the Council's policy regarding absences from work, the Council's most senior employee shall notify the Chair of the Staffing Committee, or in his absence the Vice-Chair of the Staffing Committee of any absence occasioned by illness or urgency and that person shall report such absence to the committee at its next meeting.

c The Chair of the Staffing Committee or in his absence, the Vice-Chair shall upon resolution conduct a review of the performance and/or appraisal of the Proper Officer and shall keep a written record of it. The review and/or appraisal shall be reported back and shall be subject to approval by resolution by the Staffing Committee.

d Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior employee (or other employees) shall contact the Chair of the Staffing Committee, or in his absence, the Vice-Chair of the Staffing Committee in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Staffing Committee.

e Subject to the Council's policy regarding the handling of grievance and disciplinary matters, if an informal or formal grievance matter raised by the Proper Officer relates to the Chair (or Vice-Chair) of the Staffing Committee, this shall be communicated to another member of the Staffing Committee, which shall be reported back and progressed by resolution of the Staffing Committee.

f 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.

g The Council shall keep written records relating to employees secure. All paper records shall be secured under lock and electronic records shall be password protected and encrypted.

h Only persons with line management responsibilities shall have access to employee records referred to in standing order 25(g) above if so justified.

i Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 26 (g) above shall be provided only to the Proper Officer.

26 RELATIONS WITH THE PRESS/MEDIA

a All requests from the press or other media for an oral or written statement or comment from the Council shall be processed in accordance with the Council's policy in respect of dealing with the press and/or other media.

b In accordance with the Council's policy in respect to dealing with the press and/or other media, councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media.

27 LIAISON WITH DISTRICT AND COUNTY OR UNITARY COUNCILLORS

a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the councillors of the County and Borough representing the electoral wards.

b Unless the Council otherwise orders, a copy of each letter sent to the County or Borough shall be sent to the County or Borough councillor representing its ward.

28 FINANCIAL CONTROLS AND PROCUREMENT

a The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:

(i) the accounting records and systems of internal control;
(ii) the assessment and management of financial risks faced by the Council;
(iii) the work of the internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
(iv) the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments;
(v) whether contracts with an estimated value below £60,000 due to special circumstances are exempt from a tendering process or procurement exercise.

b Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.

c ~~A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds referred to in standing order 18(f) is subject to the "light touch" arrangements under Regulations 109-114 of the Public Contracts Regulations 2015 unless it proposes to use an existing list of approved suppliers (framework agreement).~~

d Subject to additional requirements in the financial regulations of the council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:

i. a specification for the goods, materials, services or the execution of works shall be drawn up;

ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;

~~iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;~~

iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;

v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;

vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.

e Neither the Council, ~~or any~~ nor a committee, or a sub-committee with delegated responsibility for considering tenders ~~(with a delegated budget) or working party (with a delegated budget)~~ is bound to accept the lowest tender, estimate or quote.

f **Where the value of a contract is likely to exceed the threshold specified by the ~~Office of~~ Government ~~Commerce~~ from time to time, the Council must consider whether the contract is subject to the requirements of the current procurement legislation and, if so, ~~Public Contracts Regulations 2015 or the Utilities Contracts Regulations 2016 apply to the contract and, if either of those Regulations apply,~~ the Council must comply with procurement rules. NALC's procurement guidance contains further details.**

g Once approved by the Council, committees, sub-committee (with a delegated budget to the Chair and Proper Officer) and working parties (with a delegated budget to the Chair and Proper Officer), may agree to spend such sums as are laid down in their budgets provided:

i. expenditure is incurred under the headings specified;

ii. the budget is not exceeded (headings or total budget).

h Committees may transfer monies between their own budget headings without prior approval of the Council.

i The Clerk may incur expenditure up to £1,500 on any one item. Up to £4,000 may be incurred in cases of urgency in consultation with the Chair or Vice-Chair, with the items being reported to the appropriate committee.

29 CODE OF CONDUCT COMPLAINTS

a Upon notification by the 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 7 above, report this to the council.

b Where the notification in standing order 7(a) above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chair of Council of this fact, and the Chair shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined [(England) and the council has agreed what action, if any, to take in accordance with standing order 14(d) below].

c 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;

d **Upon notification by the Principal ~~District or Unitary~~ 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 him. Such action excludes disqualification or suspension from office.**

e The Chair's Group shall have the power to:

(i) seek documentary and other evidence from the person or body with statutory responsibility for investigation of the matter;

(ii) seek and share information relevant to the complaint;

30 STANDING ORDERS GENERALLY

a Any or every part of the standing orders, except those which are mandatory by law, may be suspended by resolution to any specific item of business.

b A motion to add to or vary or revoke one or more of the Council's standing orders, not mandatory by law, shall be proposed by a special motion, and shall require a two-thirds majority of councillors present.

c The Proper Officer shall provide a copy of the Council's standing orders to a councillor upon delivery of his declaration of acceptance of office.

d The Chair's decision as to the application of standing orders at meetings shall be final.

31 RESPONSIBLE FINANCIAL OFFICER

The Council shall appoint appropriate staff member to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

32 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.**

33 RESPONSIBILITIES TO PROVIDE INFORMATION

a **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**

b **The Council shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.**

34 RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

a **The Council shall consider appointing a Data Protection Officer, if appropriate.**

b **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his 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.**