

Standing Orders

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1. Meetings

Mandatory for full Council meetings	●
Mandatory for committee meetings	●●
Mandatory for sub-committee meetings	●

- a **Meetings shall not take place in premises, which at the time of the meeting, are used for the supply of alcohol unless no other premises are available free of charge or at a reasonable cost.**

- b **When calculating the 3 clear days for notice of a Council 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. In the case of Committee meetings, the minimum three clear days' public notice of a meeting does not include the day on which the notice was issued or the day of the meeting.**

- c **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.**

- d Subject to standing order 1(c) above, members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included in the agenda.

- e The period of time designated for public participation is at the Chairman's discretion, but shall not generally exceed (15) minutes.

- f Subject to standing order 1(e) above, each member of the public is entitled to speak once only in respect of business itemised on the agenda and shall not speak for more than (3) minutes.

- g In accordance with standing order 1(d) above, a question asked by a member of the

public during a public participation session at a meeting shall not require a response or debate.

- h In accordance with standing order 1(g) above, the Chairman may direct that a response to a question posed by a member of the public be referred to a Councillor for an oral response or to an employee for a written or oral response.
- i A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- j The Chairman may at any time permit an individual to be seated or to stand when speaking, taking due account of individual needs and preferences.
- k Any person speaking at a meeting shall address his comments to the Chairman.
- l Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chairman shall direct the order of speaking.
- • m **Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's prior written consent.**
- • n **In accordance with standing order 1(c) 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.**
- o **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman may in his absence be done by, to or before the Vice-Chairman (if any).**
- p **The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, 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.**

q **Subject to model standing order 1 (y) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.**

r **The Chairman 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.**

s **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.

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. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
- v. if there was a public participation session; and
- vi. the resolutions made.

u If prior to a meeting, a Councillor has submitted reasons for his absence at the meeting which are then accepted, such reason shall be recorded in the attendance book.

v **The code of conduct adopted by the Council shall apply to councillors in respect of the entire meeting.**

w **An interest arising from the code of conduct adopted by the Council, the existence and nature of which is required to be disclosed by a Councillor at a meeting shall be recorded in the minutes. (See also standing orders 11 and 12 below.)**

x **No business may be transacted at a meeting unless at least one third of the whole number of members of the Council are present and in no case shall the**

quorum of a meeting be less than 3.

y 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.

z Meetings shall not exceed a period of (3) hours.

aa 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.

1. Ordinary Council meetings

See also standing order 1 above

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 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.

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.

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

f The Chairman 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-Chairman of the Council, if any, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the

next annual meeting of the Council.

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

j Following the election of the Chairman of the Council and Vice-Chairman (if any) of the Council at the annual meeting of the Council, the order of business shall be as follows, subject to any decision to postpone one or more items to an agreed future meeting.

- i. **In an election year, delivery by the Chairman 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 Chairman of the Council of his acceptance of office form unless the council resolves for this to be done at a later date;**
- ii. Apologies for absence.
- iii. Confirmation of the accuracy of the minutes of the last meeting of the Council and to receive and note minutes of and/or to determine recommendations made by committees.
- iv. Review of delegation arrangements to committees, sub-committees, employees and other local authorities.
- v. Review of the terms of references for committees and, if thought fit, to refer them to the Committees for discussion and ratification at the next full Council meeting.
- vi. Receipt of nominations 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. Review and adoption of appropriate standing orders and financial regulations.
- ix. Review of arrangements, including any charters, with other local authorities and review of contributions made to expenditure incurred by other local authorities.
- x. Review of representation on or work with external bodies and arrangements for reporting back.
- xi. In an election year, to make arrangements with a view to the council becoming eligible to

exercise the general power of competence in the future.

- xii. Review of inventory of land and assets including buildings and office equipment.
- xiii. Review and confirmation of arrangements for insurance cover in respect of all insured risks.
- xiv. Review of the Council's complaints procedure.
- xv. Review of the Council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998.
- xvi. Review of the Council's policy for dealing with the press/media
- xvii. Setting the dates, times and place of ordinary meetings of the full Council up to and including the next annual meeting of full council.

2. Extraordinary meetings

See also standing order 1 above

- a The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**

- b If the Chairman 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.**

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

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

3. Committees and sub-committees

- 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 committees as may be necessary, and:
- i. shall determine their terms of reference;
 - ii. shall permit a committee to determine the number and time of its meetings;
 - iii. shall, subject to standing orders 4(b) and (c) above, appoint and determine the terms of office of members of such a committee;
 - iv. 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 (1) day before the meeting that they are unable to attend;
 - v. shall permit a committee, to appoint its own chairman at the first meeting of the committee and to co-opt non-Councillors as members;
 - vi. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which shall be no less than three Councillors;
 - vii. shall determine if the public may participate at a meeting of a committee;
 - viii. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
 - ix. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
 - x. may dissolve a committee.

4. Draft 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. 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 9(a)(iv) below .
- c. The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by the meeting and the agreed minutes shall be signed by the chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d. If the chairman 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 chairman 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 meeting and the minutes are confirmed as an accurate record of the proceedings.”
- e. Upon confirmation of the accuracy of the minutes of a meeting, the draft minutes or recordings of the

meeting for which approved minutes exist shall be destroyed.

5. Proper Officer

- a The Council's Proper Officer shall be the Clerk. In the absence of the Clerk from a Council or Committee meeting, the meeting shall nominate a member to take minutes.
- b The Council's Proper Officer shall do the following:-
 - i Upon the Council having first resolved that service of summons on councillors confirming the time, date, venue and the agenda for a meeting by delivery or post at their residences at least 3 clear days before a meeting is not expedient, electronically serve on councillors a summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee and a sub-committee at least 3 clear days before the meeting provided any such email contains the electronic signature and title of the Proper Officer.
 - ii **Give public notice of the time, date, venue and agenda at least 3 clear days before a meeting of the Council or a meeting of a committee or a 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 8(b)–(f) below, include in the agenda all motions received, unless a councillor has given written notice at least (7 calendar) days before the meeting confirming his withdrawal of it.
 - iv **Convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office, in accordance with standing order 6(b)i above.**
 - v Make available for inspection the minutes of meetings.
 - 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 and any changes to it and keep copies of the same available for inspection.
 - ix Keep proper records required before and after meetings;
 - x Process all requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council's procedures relating to the same.
 - xi Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
 - xii Manage the organisation, storage of and access to information held by the Council in paper and electronic form.
 - xiii Arrange for legal deeds to be signed by 2 councillors and witnessed (*See also standing*

orders 18(a) and (b).)

- xiv. Arrange for the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations.
- xv. Record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
- xvi. manage access to information about the council via the publication scheme;
- xvii. Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.

6. Responsible Financial Officer

The Clerk shall be the Responsible Financial Officer

7. Motions requiring written notice

- a A motion shall relate to the responsibilities of the meeting which it is tabled for 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 Except as provided by these Standing Orders, no resolution may be moved unless the business to which it relates has been put on the Agenda by the Proper Officer or the mover has given notice in writing of its terms and has delivered the notice to the Proper Officer at least 14 clear calendar days before the next meeting of the Council.
- c The Proper Officer may, before including a motion in the agenda received in accordance with standing order 8(a) 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 7(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 (7 calendar) 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 Chairman 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 Having consulted the Chairman or councillors pursuant to standing order 8(d) above, the decision

of the Proper Officer as to whether or not to include the motion in the agenda shall be final.

- g Notice of every motion received in accordance with the Council's standing orders shall be numbered in the order received and shall be entered in a book, which shall be open to inspection by all councillors.
- h Every motion rejected in accordance with the Council's standing orders shall be duly recorded with a note by the Proper Officer giving reasons for its rejection in a book for that purpose, which shall be open to inspection by all councillors.
- i 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.

8. Motions not requiring written notice

- a Motions in respect of the following matters may be moved without written notice.
 - i. To appoint a person to preside at a meeting.
 - ii. To approve the absences of councillors.
 - iii. To approve the accuracy of the minutes of the previous meeting.
 - iv. To correct an inaccuracy in the minutes of the previous meeting.
 - v. To dispose of business, if any, remaining from the last meeting.
 - vi. To alter the order of business on the agenda for reasons of urgency or expedience.
 - vii. To proceed to the next business on the agenda.
 - viii. To close or adjourn debate.
 - ix. To refer by formal delegation a matter to a committee or to a sub-committee or an employee.
 - x. To appoint a committee or sub-committee or any councillors (including substitutes)thereto.
 - xi. To receive nominations to a committee or sub-committee.
 - xii. To note the minutes of a meeting of a committee or sub-committee.
 - xiii. To consider a report and/or recommendations made by a committee or a sub- committee or an employee.
 - xiv. To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
 - xv. To authorise legal deeds signed by two councillors and witnessed.
(See *standing orders 18(a) and (b) below.*)
 - xvi. To authorise the payment of monies up to (£200) and to approve payments made in accordance with Financial Regulations since the last Council meeting.
 - xvii. To amend a motion relevant to the original or substantive motion under consideration which

shall not have the effect of nullifying it.

- xviii. To extend the time limit for speeches.
 - xix. To exclude the press and public for all or part of a meeting.
 - xx. To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
 - xxi. To give the consent of the Council if such consent is required by standing orders.
 - xxii. To suspend any standing order except those which are mandatory by law.
 - xxiii. To adjourn the meeting.
 - xxiv. To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
 - xxv. To answer questions from councillors.
- b If a motion falls within the terms of reference of a committee or sub-committee or within the delegated powers conferred on an employee, a referral of the same may be made to such committee or sub-committee or employee provided that the Chairman may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

9. Rules of debate

- 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 Chairman's direction for reasons of expedience.
- b Subject to standing orders 8(a)–(f) above, a motion shall not be considered unless it has been proposed and seconded.
- c Subject to standing order 6(b)(iii) above, a motion included in an agenda not moved by the councillor who tabled it, may be treated as withdrawn, unless the Councillor informs the Chairman in advance of the meeting that (s)he has arranged for another Councillor to propose the motion.
- d A motion to amend an original or substantive motion shall not be considered unless proper notice has been given after the original or substantive motion has been seconded and notice of such amendment, shall, if required by the Chairman, be reduced to writing and handed to the Chairman who shall determine the order in which they are considered.
- e A Councillor may move amendments to his own motion. If a motion has already been seconded, an amendment to it shall be with the consent of the seconder.

- f Any amendment to a motion shall be either:
 - i. to leave out words;
 - ii. to add words;
 - iii. to leave out words and add other words.

- g A proposed or carried amendment to a motion shall not have the effect of rescinding or negating the original or substantive motion under consideration.

- h Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman. No further amendment to a motion shall be moved until the previous amendment has been disposed of.

- i Subject to Standing Order 10(h) above, one or more amendments may be discussed together if the Chairman considers this expedient but shall be voted upon separately.

- j Pursuant to standing order 10(h) above, the number of amendments to an original or substantive motion, which may be moved by a councillor, is limited to one.

- k If an amendment is not carried, other amendments shall be moved in the order directed by the Chairman.

- l If an amendment is carried, the original motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.

- m The mover of a motion, but not the mover of an amendment, shall have a right of reply, not exceeding (3) minutes.

- n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply in respect of the substantive motion at the very end of debate and immediately before it is put to the vote.

- o 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 irregularity in the meeting he is concerned by.

- p A point of order shall be decided by the Chairman and his decision shall be final.

- q With the consent of the seconder and/or of the meeting, a motion or amendment may be withdrawn by the proposer. A councillor shall not speak upon the said motion or amendment unless permission for the withdrawal of the motion or amendment has been refused.
- r Subject to standing order 10(o) above, when a councillor's 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 a motion to a committee or sub-committee 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.
- t In respect of standing order 10(s)(iv) above, the Chairman shall first be satisfied that the motion has been sufficiently debated before it is seconded and put to the vote. The Chairman shall call upon the mover of the motion under debate to exercise or waive his right of reply and shall put the motion to the vote after that right has been exercised or waived. The adjournment of a debate or of the meeting shall not prejudice the mover's right of reply at the resumption.

10. Code of conduct (England)

See also standing order 1(aa) above

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

b If practicable all councillors shall undertake training in the code of conduct within 6 months of the delivery of their declaration of acceptance of office.

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

d 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.

e **Dispensation requests shall be in writing and submitted, whenever possible via the Proper Officer** to the Monitoring Officer of Elmbridge Borough Council as soon as possible before the meeting-

f A decision as to whether to grant a dispensation shall be made by the Monitoring Officer of Elmbridge Borough Council and that decision is final.

g 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.

h A dispensation may be granted in accordance with standing order 11(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.**

i Councillors with a prejudicial interest in relation to any item of business being transacted at a meeting may exercise the rights of a member of the public to (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted but must, thereafter, leave the room or chamber before the items of business is discussed.

11. Code of Conduct Complaints

a Upon notification by the Borough 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 11 above, report this to the council.

- b 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;

c Upon notification by the 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.

12. 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.

13. Disorderly conduct

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly.
- b If, in the opinion of the Chairman, there has been a breach of standing order 13(a) above, the Chairman shall express that opinion and thereafter any councillor (including the Chairman) may move that the person be silenced or excluded from the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
- c If a resolution made in accordance with standing order 14(b) above, is disobeyed, the Chairman may take such further steps as may reasonably be necessary to enforce it and/or he may adjourn the meeting.

14. Rescission of 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 (4)

councillors 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 15(a) above has been disposed of, no similar motion may be moved within a further 6 months.

15. 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 Chairman's casting vote. Voting shall be by signed ballot.

16. 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.**

17. 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 18(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.**

18. Accounts and Financial Statement

- a “Proper practices” in standing orders refer to the most recent version of Governance and Accountability for Local Councils – a Practitioners’ Guide (England).
- b All payments by the Council shall be authorised, approved and paid in accordance with the Council’s financial regulations, which shall be reviewed at least annually.
- c The Responsible Financial Officer shall supply to each councillor at least three days before each meeting of the Council before the meeting, a statement summarising the Council’s receipts and payments since the last meeting and the balances held. This statement should include a comparison with the budget for the financial year.
- d A Financial Statement prepared on the appropriate accounting basis (receipts and payments, or income and expenditure) for a year to 31 March shall be presented to each councillor before the end of the following month of May. The Statement of Accounts of the Council (which is subject to external audit), including the annual governance statement, shall be presented to Council for formal approval before 30 June.

19. Estimates/precepts

- a **The Council shall approve written estimates for the coming financial year** at its meeting before the end of January.
- b The Council shall meet informally as a Budget Working Group during November to consider proposals for expenditure during the next financial year.
- c Any committee desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year no later than the meeting of the Budget Working Group.

20. Unauthorised activities

- a Unless authorised by a resolution, no individual councillor shall in the name or on behalf of the Council, a committee or a sub-committee:
 - i. inspect any land and/or premises which the Council has a right or duty to inspect; or
 - ii. issue orders, instructions or directions.

21. Confidential business

- a The agenda, papers that support the agenda and the minutes of a meeting shall not generally disclose or otherwise undermine confidential or sensitive information which for special reasons would not be in the public interest. Where an agenda item requires the provision of confidential documents to members, they shall either (i) be circulated on coloured paper up to 3 days before the meeting, or (ii) printed on pink paper and handed to members at the start of the meeting. All such papers shall be collected and destroyed at the close of the meeting and any electronic copies deleted from members' computers.
- b Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.

22. Matters affecting council employees

- a If a meeting considers any matter personal to a Council employee, it shall not be considered until the Council OR 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 Chairman of the Council or, in his absence, the Vice-Chairman of any absence which would delay the handling of Council business and that person shall report such absence to the Staffing committee.
- c The Chairman of the Council or, in his absence, the Vice-Chairman shall conduct an annual review of the performance and/or appraisal of the Clerk and shall keep a written record of it. Issues arising from the review and/or appraisal shall be reported back to the Staffing Committee.
- d Subject to the Council's policy regarding the handling of grievance matters, the employee concerned shall contact the Chairman of the Staffing committee or in his absence, the Vice-Chairman 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 Clerk relates to the Chairman or Vice-Chairman of the Staffing committee, this shall be communicated to another member of the Staffing committee, which shall be reported back and progressed according to the provisions of the

Council's Grievance Procedure.

- f Any persons responsible for all or part of the management of Council employees shall keep written records of all meetings relating to their performance, and capabilities, grievance and disciplinary matters.
- 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.
- h Records documenting reasons for an employee's absence due to ill health or details of a medical condition shall be made available only to those persons with responsibility for the same.
- i Only persons with line management responsibilities shall have access to employee records referred to in standing orders 23(g) and (h) above if so justified.
- j Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 23(g) and (h) above shall be provided only to the Proper Officer and/or the Chairman of the Council OR the Staffing committee.

23. Freedom of Information Act 2000

- a All requests for information held by the Council shall be processed in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000.
- b Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Chairman of the Council. The Council shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000 including exercising the powers of the Proper Officer in respect of Freedom of Information requests set out under standing order 6(b)(x) above.

24. 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 of 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.

25. 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 councillor of the District and County or Unitary Council representing its electoral ward.

26. Financial Controls and Procurement

- a The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - i. the keeping of accounting records and systems of internal control;
 - ii. the assessment and management of financial risks faced by the Council;
 - iii. the work of the Internal Auditor 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. procurement policies (subject to standing order 27(c) below) including the setting of values for different procedures where the contract has an estimated value of less than £5,000.
- b Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c **Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £5,000 shall be procured on the basis of a formal tender as summarised in standing order 27(d) below.**
- d Subject to additional requirements in the financial regulations of the council, any formal tender process shall include 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 or 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.
- vii. Neither the Council, nor any committee, is bound to accept the lowest tender, estimate or quote.
- viii. **Where the value of a contract is likely to exceed £138,893 (or other threshold specified by the Office of Government Commerce from time to time) the Council must consider whether the Public Contracts Regulations 2006 (SI No.5, as amended) and the Utilities Contracts Regulations 2006 (SI No. 6, as amended) apply to the contract and, if either of those Regulations apply, the Council must comply with EU procurement rules.**

27. Standing orders - General

- a. All or part of a standing order, except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b. A motion to add to or vary or revoke one or more of the council's standing orders, except one that incorporates mandatory statutory requirements, shall be proposed by a special motion, the written notice by at least (2) councillors to be given to the Proper Officer in accordance with standing order 8 above.
- 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 Chairman's decision as to the application of standing orders at meetings shall be final.
- e. A councillor's failure to observe standing orders more than 3 times in one meeting may result in him being excluded from the meeting in accordance with standing orders.

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