



BICESTER TOWN COUNCIL

STANDING ORDERS

These Standing Orders were approved by a Meeting of the Council held on *Monday 21st May 2018*

Some of the standing orders are compulsory as they are laid down in Acts of Parliament. These are printed in ***CAPITAL, BOLD, ITALICS*** type. These standing orders cannot be altered.

A handwritten signature in black ink, appearing to read 'S. Shippen', written over a faint circular stamp.

Signed

Mrs S Shippen
Chief Officer

Date ...21st May 2018

Version No 19

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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 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.**

- c **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting.**

- *
** d **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**

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

- f The period of time which is designated for public participation in accordance with standing order 1(d) above] shall not exceed 10 minutes unless directed by the chairman of the meeting.

- g 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 2 minutes unless directed by the chairman of the meeting.

h In accordance with standing order 1(e) 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.

i In accordance with standing order 1(e) 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 officer for a written or oral response.

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

* k A person shall raise his hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort)]. The Chairman may at any time permit an individual to be seated when speaking.

l Any person speaking at a meeting shall address his comments to the Chairman.

m 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.

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** n **In accordance with standing order 1(d) 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 (Town Mayor) may in his absence be done by, to or before the Vice-Chairman (Deputy Mayor).**

* p **The Town Mayor if present, shall preside at a meeting. If the Town Mayor is absent from a meeting, the Deputy Town Mayor, if present, shall preside. If both the Town Mayor and the Deputy Town Mayor are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside**

at the meeting.

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*** 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.**
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**
*** 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. (See also standing orders 2 (h) and (i) below.)**
- *
**
*** s **Unless standing orders provide 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 the vote is taken.**
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**
*** t **The minutes of a meeting shall record the names of councillors present and who have conveyed apologies.**
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**
*** u **The code of conduct adopted by the Council shall apply to councillors in respect of the entire meeting.**
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**
*** v **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 7 and 8 below.)**
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**
*** w **No business may be transacted at a meeting unless at least one third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than 5.**
- *** x Sub-committees shall have a quorum of 3
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**
*** 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 2 hours unless specifically agreed otherwise.

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aa The Chief Officer may change the date of a meeting in consultation with the Chairman of the meeting concerned.

2 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 the 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 Town Mayor and Deputy Town Mayor of the Council shall be the first business completed at the annual meeting of the Council.**
- f **The Chairman of the Council, (Town Mayor) 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, (Deputy Town Mayor) 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 (Town Mayor) has**

not been re-elected as a member of the Council, he shall preside at the meeting until a successor Chairman of the Council (Town Mayor) has been elected. The current Chairman of the Council (Town Mayor) shall not have an original vote in respect of the election of the new Chairman of the Council (Town Mayor) 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 (Town Mayor) and Vice-Chairman (Deputy Town Mayor) of the Council at the annual meeting of the Council, the order of business can be as follows.
 - i. In an election year, delivery by councillors of their declarations of acceptance of office.
 - ii. 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.
 - iii. Appointment of standing committees, confirmation of the terms of reference, the number of members (including, if appropriate, substitute councillors) and receipt of nominations to them, including the appointment of Chairman to each.
 - iv. Review of representation on or work with external bodies and arrangements for reporting back.
 - v. In a year of elections, if a Council's period of eligibility to exercise the power of competence being expired the day before the annual meeting, to review and make arrangements to reaffirm eligibility.
 - vi. Setting the dates, times and place of ordinary meetings of the Council and committees for the year ahead.

3 Proper Officer

- a The Council's Proper Officer shall be either (i) the Chief Officer or such other employee as may be nominated by the Council from time to time or (ii) such other employee appointed by the Council to undertake the role of the Proper Officer

during the Proper Officer's absence. The Proper Officer and the employee appointed to act as such during the Proper Officer's absence shall fulfil the duties assigned to the Proper Officer in standing orders.

- b The Council's Proper Officer shall do the following.
- i. **At least three clear days before a meeting of the council, a committee or a sub-committee, serve on the councillors, by email delivery or post at their residences, a signed summons confirming the time, place and the agenda**, 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 4(a)–(e) below, include in the agenda all motions in the order received unless a councillor has given written notice at least 5 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.**
 - 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.
 - 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 as witnesses.
 - 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. Refer a planning application received by the Council to the Chairman or in his absence Vice-Chairman of the Planning Committee within 2 working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Planning Committee.
- xvii. Retain custody of the seal of the Council which shall not be used without a resolution to that effect.
- xviii. Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.

4 Motions requiring written notice

- a In accordance with standing order 3(b)(iii) above, no motion may be moved at a meeting unless it is included in the agenda and the mover has given written notice of its wording to the Council's Proper Officer at least 5 clear working days before the next meeting.
- b The Proper Officer may, before including a motion in the agenda received in accordance with standing order 4(a) above, correct obvious grammatical or typographical errors in the wording of the motion.
- c If the Proper Officer considers the wording of a motion received in accordance with standing order 4(a) 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 5 clear working days before the meeting.
- d If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the 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.
- e Having consulted the Chairman or councillors pursuant to standing order 4(d) above, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.
- f Notice of every motion received in accordance with the Council's standing orders shall be numbered in the order received and appropriate records kept which shall be open to inspection by all councillors.

- g 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. Appropriate records shall be kept and shall be open to inspection by all councillors.
- h 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.

5 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 dissolve a committee or sub-committee.
 - xiii. To note the minutes of a meeting of a committee or sub-committee.
 - xiv. To consider a report and/or recommendations made by a committee or a sub-committee or an employee.
 - xv. To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
 - xvi. To authorise legal deeds to be-signed by two councillors as witnesses.
 - xvii. To authorise payment of monies.
 - xviii. To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.

- xix. To extend the time limit for speeches.
 - xx. To exclude the press and public for all or part of a meeting.
 - xxi. To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
 - xxii. To give the consent of the Council if such consent is required by standing orders.
 - xxiii. To suspend any standing order except those which are mandatory by law.**
 - xxiv. To adjourn the meeting.
 - xxv. To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
 - xxvi. 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.

6 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 4(a)–(e) above, a motion shall not be considered unless it has been proposed and seconded.
- c An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chairman of the meeting, is expressed in writing to the chairman.
- d 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.
- e 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.

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

- g 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.

- h Subject to Standing Order 6(g) above, one or more amendments may be discussed together if the Chairman considers this expedient but shall be voted upon separately.

- i Pursuant to standing order 6(h) above, the number of amendments to an original or substantive motion, which may be moved by a councillor, is limited to one.

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

- k 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.

- l The mover of a motion or the mover of an amendment shall have a right of reply, not exceeding 5 minutes.

- m 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.

- n Subject to standing orders 6(l) and (m) above, a councillor may not speak further in respect of any one motion except to speak once on an amendment moved by another councillor or to make a point of order or to give a personal explanation.

- 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 6(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.

- s In respect of standing order 6(r)(iv) above, the Chairman shall first be satisfied that the motion has been sufficiently debated 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.

- t Excluding motions moved understanding order 1(r) above, the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 5 minutes without the consent of the chairman of the meeting.

7 Code of conduct

- 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 7(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:**
 - a. **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**
 - b. **granting the dispensation is in the interests of persons living in the council's area or**
 - c. **it is otherwise appropriate to grant a dispensation.**

8 Minutes

- a If a copy of the draft minutes of a preceding meeting has been circulated to councillors no later than the day of service of the summons to attend the scheduled meeting 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 Chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d 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.

9 Disorderly conduct

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- b If, in the opinion of the Chairman, there has been a breach of standing order 9(a) above, and the conduct has not moderated or improved, 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 9(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.

10 Rescission of previous resolutions

- a A resolution (whether affirmative or negative) shall not be reversed within 6 months except either by a special motion, the written notice whereof bears the names of at least 5 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 10(a) above has been disposed of, no similar motion may be moved within a further 6 months.

11 Voting on appointments

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.

12 Execution and sealing of legal deeds

- a A legal deed shall not be executed on behalf of the council unless authorised by a resolution.
- b **In accordance with a resolution made under standing order 12(a) above, the Council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of two members of the Council who shall sign the deed as witnesses.**

13 Committees

The Council may, at its annual meeting, appoint standing committees and may at any other time appoint such other committees as may be necessary, and:

- i. shall determine their terms of reference;
- ii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
- iii. shall appoint and determine the term of office of councillor so as to hold office no later than the next annual meeting;
- iv. may in accordance with standing orders, dissolve a committee at any time.
- v. may 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 before the meeting that they are unable to attend;
- vi. shall, after it has appointed the members of a standing committee, appoint the chairman of the standing committee;

14 Sub-committees

- a Unless there is a Council resolution to the contrary, every committee may appoint a sub-committee whose terms of reference and members shall be determined by resolution of the committee.

- b The Council 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.
- c The Council shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend.

15 Extraordinary meetings

- 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.

16 Responsible Financial Officer

The council shall appoint appropriate staff member(s) to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

17 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 regularly and at least bi-annually by the Finance Committee.
- c The Responsible Financial Officer shall supply to each councillor a statement summarising the Council's receipts and payments for the each quarter and the balances held in reports to the Finance Committee. This statement should include a comparison with the budget for the financial year. 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 June. 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.

18 Financial controls and procurement

- a The council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - i. the keeping of accounting records and systems of internal controls;
 - ii. the assessment and management of financial risks faced by the council;
 - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
 - iv. the inspection and copying by councillors and local electors of the council's accounts and/or orders of payments; and
 - v. procurement policies (subject to standing order 18(c) below) including the setting of values for different procedures where a contract has an estimated value of less than £60,000.
- b Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c **Financial regulations shall confirm that a proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £60,000 shall be procured on the basis of a formal tender as summarised in standing order 18(d) below.**
- 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 via the Public Procurement website and in any other manner that is appropriate;
 - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
 - v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
 - vi. tenders are to be reported to and considered by the appropriate meeting of the council or a committee or sub-committee with delegated responsibility.
- e Neither the council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- f **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.**

19 Estimates/precepts

- a **The Council shall approve written estimates for the coming financial year at its annual budget meeting before the end of January.**
- b 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 December.

20 Canvassing of and recommendations by councillors

- a Canvassing councillors or the members of a committee or sub-committee, 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 or sub-committee 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.

21 Inspection of documents

Subject to standing orders to the contrary or in respect of matters which are confidential, a councillor may, for the purpose of his official duties (but not otherwise), inspect any document in the possession of the Council or a committee or a sub-committee, and request a copy for the same purpose. The minutes of meetings of the Council, its committees or sub-committees shall be available for inspection by councillors.

22 Unauthorised activities

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.

23 Confidential business

- a Councillors shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature.
- b A councillor in breach of the provisions of standing order 23(a) above as determined by the Local Standards Committee may be removed from a committee or a sub-committee by a resolution of the Council.

- c A councillor may be suspended from membership of a committee or a sub-committee by resolution of the Council pending investigation by the Local Standards Committee.

24 Matters affecting council employees

- a If a meeting considers any matter personal to a Council employee, it shall not be considered until the meeting has decided whether or not the press and public shall be excluded pursuant to standing order 1(c) above.
- b All matters relating to council employees will be dealt with by the Personnel Sub-Committee.

25 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 Policy Committee. The said committee 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 3(b)(x) above.

26 Relations with the press/media

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.

27 Allegations of breaches of the code of conduct

- a Upon notification by the District Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the council's code of conduct, the Proper Officer shall report this to the council.

- b Where the notification in standing order 27(a) above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of the Policy Committee of this fact, and the Chairman shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the council has agreed what action, if any, to take in accordance with standing order 27(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 District 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.**

28 Variation, revocation and suspension of standing orders

- a Any or every part of the standing orders, except those which are mandatory by law, may be suspended by resolution in relation 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 to the Council on the recommendation of the Policy Committee.

29 Standing orders to be given to councillors

- a 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.
- b The Chairman's decision as to the application of standing orders at meetings shall be final.
- c 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.