



BICESTER TOWN COUNCIL

STANDING ORDERS

These Standing Orders were approved by a Meeting of the Council held on 24th August 2020

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.

Signed

A handwritten signature in black ink, appearing to read 'S. Shippen', enclosed within a circular stamp.

Mrs S Shippen
Chief Officer

Date ... **24 August 2020**

Version No 20

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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.
- n **Subject to standing order 3(m), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.**
- o **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission**

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p 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.
- q 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).
- *
r 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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s Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting. .
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t 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.*)
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u 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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a **The minutes of a meeting shall** include an accurate record of the following:
- i. the time and place of the meeting;
 - ii. **the names of councillors who are present** and the names of councillors who are absent, reporting those who have conveyed apologies;
 - 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

v the resolutions made.

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

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x 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.

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y 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.

z Sub-committees shall have a quorum of 3

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aa 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.

bb Meetings shall not exceed a period of 2 hours unless specifically agreed otherwise.

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

2 Rules of debate

a Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairman of the meeting.

- b A motion (including an amendment) shall not be progressed 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 chairman 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 (as amended) 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 chairman of the meeting, is expressed in writing to the chairman.
- 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 chairman of the meeting.
- j Subject to standing order 1(k), only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairman of the meeting.
- k One or more amendments may be discussed together if the chairman 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 on 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 chairman 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. to exercise a right of reply.

- p During the debate on 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 chairman 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 no longer heard or 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; or
 - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- s Before an original or substantive motion is put to the vote, the chairman 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 under standing order 1(r), 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.

3 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 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. 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.

4 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 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 the 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), appoint and determine the terms of office of members of such a committee;

- v. may, subject to standing orders 4(b) and (c), 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 ~~(—) days 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;
- 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 or a sub-committee.

5 Extraordinary Meetings of The Council, Committees and Sub-Committees

- 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 call an extraordinary meeting of the Council within seven 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 shall 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 the sub-committee] at any time.
- d If the chairman of a committee [or a sub-committee] does not call an extraordinary meeting within seven days of having been requested to do so by two members of the committee [or the sub-committee], any two members of the committee [or the sub-committee] may convene an extraordinary meeting of the committee (or a sub-committee).

6 Motions for a meeting that require 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 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.
- c 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.
- d 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.
- 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 4(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 appropriate records kept 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. Appropriate records shall be kept and 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.

7 Motions at a meeting that do not require 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 move to a vote .
 - iii. To correct an inaccuracy in the minutes of the previous meeting.
 - iv. To alter the order of business on the agenda for reasons of urgency or expedience.
 - v. To proceed to the next business on the agenda.
 - vi. To close or adjourn debate.
 - vii. To refer by formal delegation a matter to a committee or to a sub-committee or an employee.

- viii. To appoint a committee or sub-committee or any councillors (including substitutes) thereto.
 - ix. To receive nominations to a committee or sub-committee.
 - x. To require a report and/or recommendations be made by a committee or a sub- committee or an employee.
 - xi. To require a report and/or recommendations made by a professional advisor, expert or consultant.
 - xii. To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
 - xiii. To extend the time limit for speeches.
 - xiv. To exclude the press and public for all or part of a meeting.
 - xv. To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
 - xvi. To give the consent of the Council if such consent is required by standing orders.
 - xvii. To suspend any standing order except those which are mandatory by law.**
 - xviii. To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
 - xix. To answer questions from councillors.
 - xx. to temporarily suspend the meeting.
 - xxi. To adjourn the meeting.
 - xxii. to close the meeting.
- 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.

8 Code of conduct and dispensations

- 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 8(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 8(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.**

9 Code of Conduct Complaints

- 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, subject to standing order 11, report this to the Council.
- b Where the notification in standing order 14(a) relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of Council 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 14(d).

- c The Council may:
 - i. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
 - 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.**

10 Draft 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 7(a)(iii) 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.

11 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 person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or be 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 11(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.

12 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 by at least 5 councillors to be given to the Proper Officer, 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 12(a) above has been disposed of, no similar motion may be moved within a further 6 months.

13 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.

14 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.**

15 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 15(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.**

16 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 the councillor has consented to service by email). .**
 - ii. **Provide, in a conspicuous place, 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 6(a)–(e) above , 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. **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. Hold a copy of every councillor's register of interests.
- ix. Keep proper records required before and after meetings;
- x. 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; .
- xi. liaise, as appropriate, with the Council's Data Protection Officer
- xii. Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
- xiii. 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);
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- xiv. Arrange for legal deeds to be executed.
- xv. 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.
- xvi. Record every planning application notified to the Council and the Council's response to the local planning authority in the electronic system for such purpose.
- xvii. 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.
- xviii. manage access to information about the Council via the publication scheme; and

- xix. Retain custody of the seal of the Council which shall not be used without a resolution to that effect.
- xx. Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.

17 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.

18 Accounts and Accounting Statements

- a “Proper practices” in standing orders refer to the most recent version of Governance and Accountability for Smaller Authorities in England – 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 as soon as practicable a statement to summarise in reports to the Finance Committee:
 - i. the Council’s receipts and payments (or income and expenditure) for each period;
 - ii. the Council’s aggregate receipts and payments (or income and expenditure) for the year to date;
 - iii. the balances held at the end of the period being reported and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- 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 (or income and expenditure) for the last period and the year to date for information; and
 - ii. to the Council the accounting statements for the year in the form of Section 2 of the annual governance and accountability return, as required by proper practices, for consideration and approval.

- e The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all councillors prior to anticipated approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

19 Financial controls and procurement

- a The council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, following review by the Finance Committee, 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. whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise.
- .
- b Financial regulations shall be reviewed regularly 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 in standing order 19(f) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity unless it proposes to use an existing list of approved suppliers (framework agreement).**
- .
- 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 **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.**
- g **A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.**

20 Handling Staff Matters

- a A matter personal to a member of staff that is being considered by a meeting of Council or a committee or a sub-committee is subject to standing order 14.
- b Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the chairman of the Policy Committee or, if he is not available, the vice-chairman of the Policy Committee of absence occasioned by illness or other reason and that person shall report such absence to the Personnel sub-committee at its next meeting.
- c Councillors appointed by the Personnel Sub-Committee shall conduct a review of the performance and annual appraisal of the work of the Chief Officer. The reviews and appraisal shall be reported in Personnel Sub-Committee.
- d Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior member of staff shall contact the chairman of the Policy

Committee or in his absence, the vice-chairman of the Policy Committee in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Personnel Sub-Committee

- e Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by Chief Officer relates to the chairman or vice-chairman of the Policy Committee, this shall be communicated to another member of the Personnel Sub-Committee], which shall be reported back and progressed by resolution of the Personnel Sub-Committee.
- f Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.
- g In accordance with standing order 14(a), persons with line management responsibilities shall have access to staff records referred to in standing order 20(f).

21 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

22 Responsibilities under data protection legislation

- a The Council may appoint a Data Protection Officer.
- b The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning 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.

23 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.

24 Restrictions on councillor 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.

25 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.