

Standing Orders for North Tawton Town Council



No	Standing Order	Page No	No	Standing Order	Page No
1	Meetings	2	18	Advisory committees	17
2	Ordinary Council meetings	5	19	Accounts and Financial Statement	17
3	Proper Officer	7	20	Estimates/precepts	17
4	Motions requiring written notice	8	21	Canvassing of and recommendations by councillors	18
5	Motions not requiring written notice	9	22	Inspection of documents	18
6	Rules of debate	10	23	Unauthorised activities	18
7	Code of conduct (England and Wales)	12	24	Confidential business	18
8	Questions	13	25	Power of well-being (England only)	19
9	Minutes	13	26	Matters affecting council employees	19
10	Disorderly conduct	14	27	Freedom of Information Act 2000	20
11	Rescission of previous resolutions	14	28	Press/media Policy	20
12	Voting on appointments	14	29	Liaison with County, District and Unitary Councillors	21
13	Expenditure	15	30	Financial matters	21
14	Execution of sealing of legal deeds	15	31	Allegations of breaches of code of conduct	22
15	Committees	15	32	Invitations received by the Council	23
16	Sub-committees	16	33	Variation, revocation and suspension of Standing Orders	23
17	Extraordinary meetings	16	34	Standing orders to be given to Councillors	23

1 Meetings

- a. Meetings shall not take place in premises, which at the time of the meeting, are used for the supply of alcohol unless no other premises are available free of charge or at a reasonable cost.
- b. When calculating the 3 clear days (weekdays including Saturday) 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. 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. For 15 minutes prior to the Council meeting the Council encourages the use of an Open Forum. This will allow Members of the Public to address the Town Council. Time will be limited to two minutes per person unless the Chairman rules otherwise. Members of the public wishing to speak in the Open Forum should notify the Clerk by 12 noon on the Tuesday prior to the meeting. If research is needed members of the public are asked to indicate what is needed in advance to the clerk otherwise – if appropriate - an item will be placed on a future agenda. A brief note will be made of any discussion at this point. Please note that Councillors are not obliged to give their opinion or answer questions.
- e. Questions/Comments from members of the public
 - a. The meeting shall be suspended prior to Parish Matters to allow members of the public to comment/ask a question on any AGENDA ITEM ONLY. Time is limited to 2 minutes per person, up to a maximum of 3 persons, unless the Chairman rules otherwise. A brief record of any points made will be included in the minutes of that meeting.
- f. 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. However, if the necessary information is available a Councillor or The Clerk may respond.
- g. Unless the Chairman rules otherwise no further contributions from members of the public shall be taken elsewhere in the agenda.

- h. Any person speaking at a meeting shall address his comments to the Chairman.
- i. 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.
- j. In accordance with the amendment to the Public Bodies (Admission to Meetings) Act 1960 by the Openness of Local Government Bodies Regulations 2014, the amended 1960 Act provides that a person may not orally report or comment about a meeting as it takes place if he is present at the meeting of a parish council or its committees but otherwise may:
 - a. film, photograph or make an audio recording of a meeting;
 - b. use any other means for enabling persons not present to see or
 - i. hear proceedings at a meeting as it takes place or later;
 - c. report or comment on the proceedings in writing during or after a
 - i. meeting or orally report or comment after the meeting.
 - d. Detailed arrangements regarding the filming, photography and audio recordings of meetings shall be in accordance with the advice given in the National Association of Local Council's Legal Topic Note LTN5 – Parish and Community Council Meetings, item 31 – 40. – attached at Annex B
- k. 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.
- l. 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).
- m. 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.
- n. Subject to standing order 1 (y) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.

- o. 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 (i) and (j) below.)
- p. Unless standing orders provide otherwise, voting on any question shall be by a show of hands. (See 1r(i)). 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.
 - a. r(i) Co-Option of Councillors - Voting in relation to Co-option of Councillors shall not be by a show of hands but by voting papers.
- q. The minutes of a meeting shall record the names of councillors present and absent.
- r. If a Councillor wants his absence from a meeting, to which he has been summoned to be approved, he should submit his written request, together with the reasons for absence, before the meeting takes place, (an e-mail request and telephone request will also be accepted).
- s. The code of conduct adopted by the Council shall apply to councillors in respect of the entire meeting.
- t. 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.)
- u. 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 4.
- v. 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.
- w. Meetings shall not exceed a period of three hours.
- x. The summons must include the agenda for the business to be transacted at the meeting, and "Another Other Business" should be replaced with "Parish Matters", No decision may lawfully be made under this item but matters may be discussed which involve no more than an exchange of information.

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 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 730pm.
- 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. North Tawton Town Council will normally meet monthly on the first Tuesday of each month save where that date falls on a bank or other holiday in which case another date will be appointed by resolution.
- e. The election of the Chairman 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.

- 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. Review of delegation arrangements to committees, sub-committees, employees and other local authorities.
- iv. Review of the terms of references for committees.
- v. Receipt of nominations to existing committees.
- vi. 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.
- vii. Review and adoption of appropriate standing orders and financial regulations.
- viii. Review of arrangements, including any charters, with other local authorities and review of contributions made to expenditure incurred by other local authorities.
- ix. Review of representation on or work with external bodies and arrangements for reporting back.
- x. In a year of elections, if a Council's period of eligibility to exercise the power of wellbeing expired the day before the annual meeting, to review and make arrangements to reaffirm eligibility.
- xi. Review of inventory of land and assets including buildings and office equipment.
- xii. Review and confirmation of arrangements for insurance cover in respect of all insured risks.
- xiii. Review of the Council's and/or employees' memberships of other bodies.
- xiv. Establishing or reviewing the Council's complaints procedure.
- xv. Establishing or reviewing the Council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998.

xvi. Establishing or reviewing the Council's policy for dealing with the press/media

xvii. Setting the dates, times and place of ordinary meetings of the full Council for the year ahead.

2 Proper Officer

- a. The Council's Proper Officer shall be the clerk
- b. The Council's Proper Officer shall do the following.
 - i. Sign and serve on councillors by delivery or by post at their residences a summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee and sub-committee 3 clear days at least before the meeting.
 - ii. Give public notice by public display of the agenda of the time, date, venue and agenda 3 clear days at least 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 received and all business proposed to be considered at that meeting.
 - 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 [3(b)i] OR [3(b)ii] 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.
- 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. All planning application responses shall be e-mailed to West Devon Borough Council or the relevant notifying authority. These responses are then held on their publicly available websites.
- xvi. Where the delivery of a planning application arrives at such a time that it cannot properly be dealt with at the next ordinary meeting within the required timescale the matter shall be referred to the Planning Committee and an extraordinary meeting of that committee called in accordance with the Standing Order (b)(1) above.
- xvii. 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.
- 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 seven clear days before the meeting.
- d. If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the 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 within the agenda or rejected.
- 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. 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 signed by two councillors and witnessed.
 - xvii. (See standing orders 14(a) and (b) below.)
 - xviii. To authorise the payment of monies.

- xix. To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
 - xx. To extend the time limit for speeches.
 - xxi. To exclude the press and public for all or part of a meeting.
 - xxii. To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
 - xxiii. To give the consent of the Council if such consent is required by standing orders.
 - xxiv. To suspend any standing order except those which are mandatory by law.
 - xxv. To adjourn the meeting.
 - xxvi. To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
 - xxvii. 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 expediency.
- b. Subject to standing orders 4(a)–(e) above, a motion shall not be considered unless it has been proposed and seconded.
- c. Subject to standing order 3(b)(iii) above, a motion included in an agenda not moved by the councillor who tabled it, may be treated as withdrawn.
- 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 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 6(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 6(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 or the mover of an amendment shall have a right of reply, not exceeding 2 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. Subject to standing orders 6(m) and (n) 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.
- p. During the debate of a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall

stop speaking. A Councillor raising a point of order shall identify the standing order which he considers has been breached or specify the irregularity in the meeting he is concerned by.

- q. A point of order shall be decided by the Chairman and his decision shall be final.
- r. 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.
- s. 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.
- t. In respect of standing order 6(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.

7 Code of conduct

See also standing orders 1(d)–(i) above

- a. All councillors shall observe the code of conduct adopted by the Council.
- b. All councillors shall undertake training in the code of conduct within 6 months of the delivery of their declaration of acceptance of office.

- c. Paragraph 12(2) of the code of conduct contained in the Local Authorities (Model Code of Conduct) Order 2007 (SI No.1159) has been adopted by North Tawton Town Council and councillors may exercise the rights contained in standing order 7(d) below as members of the public are permitted to (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted.
- d. Councillors with a prejudicial interest in relation to any item of business being transacted at a meeting may (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted but must, prior to any debate, leave the room.

8 Questions

- a. A councillor may seek an answer to a question concerning any business of the Council provided seven clear days' notice of the question has been given to the Proper Officer.
- b. Questions not related to items of business on the agenda for a meeting shall only be asked during the part of the meeting set aside for such questions.
- c. Every question shall be put and answered without discussion.

9 Minutes

- a. If 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. The minutes of a meeting of a committee meeting shall be considered at the next, or a later, ordinary meeting of the Town Council.
- 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. Where the minutes of a committee are considered at an ordinary meeting under (a) above only those Councillors present at the committee meeting may vote on their accuracy.
- 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 North Tawton Town Council held on [date] in respect of [item number] were a correct record but his view was not upheld by the majority of the Town Council and the minutes are confirmed as an accurate record of the proceedings.”

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

10 Disorderly conduct

- 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 10(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 forth with and without discussion.
- c. If a resolution made in accordance with standing order 10(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 and/or summon assistance to ensure compliance.

11 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 11(a) above has been disposed of, no similar motion may be moved within a further 6 months.
- c. Where the council becomes aware that a resolution had been determined on the basis of inaccurate or erroneous evidence it shall take steps to reinvestigate the matter by special motion.

12 Voting on appointments

- a. Where more than 2 persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue

until a majority of votes is given in favour of one person. Any tie may be settled by the Chairman's casting vote.

13 Expenditure

- a. Any expenditure incurred by the Council shall be in accordance with the Council's financial regulations.
- b. The Council's financial regulations shall be reviewed once a year.
- c. The Council's financial regulations may make provision for the authorisation of the payment of money in exercise of any of the Council's functions to be delegated to a committee, sub-committee or to an employee.

14 Execution of legal deeds

See also standing order 5(a)(xvi) above

- a. A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution. In accordance with a resolution made under standing order 14(a) above, any two members of the Council, may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.
- b. The Proper Officer is authorised as sole signatory for the issue of deeds of Exclusive Right of Burial within the cemetery and may subsequently vary these deeds in accordance with the law.

15 Committees

See also standing order 1 above

- a. 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. may permit committees to determine the dates of their meetings;
 - iii. shall appoint and determine the term of office of councillor or non-councillor members of such a committee (unless the appointment of non-councillors is prohibited by law) so as to hold office no later than the next annual meeting;
 - iv. may appoint substitute councillors to a committee whose role is to replace ordinary councillors at a meeting of a committee if ordinary councillors of the committee have confirmed to the Proper Officer 7 days before the meeting that they are unable to attend;

- v. an ordinary member of a committee who has been replaced at a meeting by a substitute member (in accordance with standing order 15(a)(iv) above) shall not be permitted to participate in debate or vote on business at that meeting and may only speak during any public participation session during the meeting;
- vi. May in accordance with standing orders, dissolve a committee at any time.
- vii. The Planning Committee shall have executive power to take decisions, on planning matters only, as if they were taken at a full meeting of the Town Council or may make recommendations to be referred to the next or a subsequent ordinary meeting of the council. Any decisions arising from meetings shall be referred to in the minutes as required in 9(a) above.
- viii. No business may be transacted at a meeting unless at least 4 members of the committee are in attendance.

16 Sub-committees

See also standing order 1 above

- 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 members of a sub-committee need not be members of the council and cannot take decisions on behalf of the council.
- c. The meetings of a sub-committee appointed by a committee are the same as for committee meetings as described above except:-
 - a sub-committee meeting may be convened without any public notice being given;
 - the public have no statutory right to attend a sub-committee meeting or report its proceedings.

17 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 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 and shall be delivered and displayed as set out in 3(b)(i) above.

18 Advisory committees

See also standing order 1 above

- a. The Council may appoint advisory committees comprised of a number of councillors and non-councillors.
- b. Advisory committees and any sub-committees may consist wholly of persons who are non-councillors.

19 Accounts and Financial Statement

- a. 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.
- b. The Responsible Financial Officer shall supply to each councillor as soon as practicable after 31 March in each year a statement summarising the Council's receipts and payments for the year and in any event the meeting following the end of May. This statement should include a comparison with the budget for the financial year. 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.
- c. A brief report showing the current balances and amounts to be paid shall be presented to councillors at each ordinary meeting or at any meeting at which it is planned to make payments.

20 Estimates/precepts

- a. The Council shall approve written estimates for the coming financial year at its 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.

21 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.

22 Inspection of documents

- a. 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) and upon 5 working days' notice, 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 and shall be publicly displayed in draft prior to the meeting at which they are to be approved..

23 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.

24 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 24(a) above may be removed from a committee or a sub-committee by a resolution of the Council.

25 Power of well-being

- a. Before exercising the power to promote well-being, a meeting of the full Council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria required to qualify as an eligible parish council.
- b. The Council's period of eligibility begins on the date that the resolution under standing order 25 (a) above was made and expires on the day before the annual meeting of the Council that takes place in a year of ordinary elections.
- c. After the expiry of its preceding period of eligibility, the Council continues to be an eligible council solely for the purpose of completing any activity undertaken in the exercise of the power to promote well-being which was not completed before the expiry of the Council's preceding period of eligibility referred to in standing order 25(b) above.

26 Matters affecting council employees

- a. If a meeting considers any matter personal to a Council employee, it shall not be considered until the Council 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 clerk shall notify the Chairman, vice-Chairman or in their absence any Councillor of any absence occasioned by illness or urgency.
- c. The Chairman or in his absence, the Vice-Chairman shall annually conduct a review of the performance and/or appraisal of the clerk and shall keep a written record of it.
- d. Subject to the Council's policy regarding the handling of grievance matters, the clerk shall contact the Chairman in respect of an informal or formal grievance matter. The matter shall be reported back to a meeting of the council.
- 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 this shall be communicated to another councillor and which shall be reported back to a meeting of the council.

- 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 26(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 26(g) and (h) above shall be provided only to the post holder and/or the Chairman of the Council.

27 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. The Proper Officer shall, as far as is possible and proper to do so, respond to the request and provide such information required. If it is not possible to do so the Proper Officer shall place an item on the agenda of the next ordinary meeting or on an extraordinary meeting which shall set up a sub-committee to deal with the matter. 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.

28 Press and Media Policy

- a. Responses to the press relating to matters discussed by the Town Council shall be dealt with in the first instance by the Proper Officer. The Town Council Chairman, and in their absence the vice-chairman, are also authorised to give the views of the Council to the press on any non-confidential subject discussed by Council.

- b. If an immediate response is requested from the press, the Councillor must stress it is his/her own personal opinion and not necessarily the Town Council's opinion.
- c. Whenever possible any information given to the press shall be given in writing so as not to leave interpretation open to misunderstanding and misreporting. At no time shall the personal views of either members or officers of the Council be given to the press in a way which could be interpreted as a view of the Council as a whole.
- d. Press releases of meetings – Unless a Councillor wishes to be named the norm will be “it was suggested/proposed by a Councillor”. Voting will be recorded by numbers, unless it is a recorded vote, when Councillors will be named (as minuted)

Question/Comments from members of the public – as this is not part of a Council meeting it will not be reported, unless a member of the public wishes it to be, then he or she can have the choice of being named or being recorded as “a member of the public asked/stated”

29 Liaison with District and County or Unitary Councillors

- a. An invitation to attend a meeting of the Council may be sent, together with the agenda, to the councillor of the District and County Council.
- b. Unless the Council otherwise orders, a copy of any letter sent to the District or County may be sent to the District or County Councillor representing the area in which the Town Council is situated.

30 Financial matters

- a. The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer which shall include detailed arrangements in respect of the following:
 - i. the accounting records and systems of internal control;
 - ii. the assessment and management of financial risks faced by the Council;
 - iii. the work of the Internal Auditor any 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 30(b) below) including the setting of values for different procedures where the contract has an estimated value of less than £60,000.
- b. Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £10000 shall be procured on the basis of a formal tender as summarised in standing order 30(c) below.
- c. Any formal tender process shall comprise the following steps:
 - i. a public notice of intention to place a contract to be placed in a local newspaper;
 - ii. a specification of the goods, materials, services and the execution of works shall be drawn up;
 - iii. tenders are to be sent, in a sealed marked envelope, to the Proper Officer by a stated date and time;
 - iv. tenders submitted are to be opened, after the stated closing date and time, by the Proper Officer and at least one member of the Council;
 - v. tenders are then to be assessed and reported to the appropriate meeting of Council or Committee.
- d. Neither the Council, nor any committee, is bound to accept the lowest tender, estimate or quotation.
- e. 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.

31 Allegations of breaches of the code of conduct

- a. On receipt of a notification that there has been an alleged breach of the code of conduct the Proper Officer shall refer it to the Monitoring Officer at West Devon Borough Council
- b. The subject matter of notifications shall be confidential and, insofar as it is possible to do so by law, the Council shall assist in determining the facts relating to the matter.

32 Invitations received by the Council

- a. Normally if an invitation is received to attend a function the Chairperson with their partner will attend.
- b. If the Chair cannot attend the Vice-Chair and partner will take their place.
- c. In the case that neither of the above are able to attend it will be brought back to council for it to choose a Councillor to take their place.
- d. The exception will be when an invitation is received for a Royal Garden Party then the longest serving member and their partner of the council will be asked if they would attend on behalf of the council.
- e. If they cannot attend the council will be asked to nominate a Councillor to attend.

33 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 permanently add to or to vary or to revoke one or more of the Council's standing orders not mandatory by law shall not be carried unless two-thirds of the councillors at a meeting of the Council vote in favour of the same.

34 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 within one meeting may result in him being excluded from the meeting in accordance with standing orders.
- d. The Financial Regulations and Cemetery Regulations shall be considered as Standing Orders