

# Sleaford Town Council

## Standing Orders



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Reviewed and Adopted: 9<sup>th</sup> October 2019  
Revised and Adopted: 13<sup>th</sup> May 2020  
Reviewed and Adopted: 12<sup>th</sup> May 2021  
Reviewed and Adopted: 21<sup>st</sup> July 2021  
Revised and Adopted: 15<sup>th</sup> December 2021

**NB – Items in bold denote requirements set out in legislation – they cannot be deleted, amended, or set aside.**

**NB** - The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 come into force on 4 April which allow local councils to hold remote meetings for a specified period until 7 May 2021.

### **Decision Making – Part 1**

#### **1. Meetings of the Full Council**

- a) The Town Clerk or designated Officer will be present at Full Council Meetings;
- b) **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 reasonable cost;**
- c) Apologies for absence, wherever practically possible, with valid reasons should be submitted (either oral or written) to the Town Clerk at least 2 hours prior to the commencement of any meeting of the Town Council, including Panel Meetings.
- d) **No business may be transacted at a meeting unless at least one third (6 councillors) of the whole number of members of the Council are present and in no case shall the quorate meeting be more than three hours.**

#### **2. Statutory Annual General Meeting**

**(NB: Same rules apply as per Meeting of Full Council. Please see below additional requirements, for the AGM)**

- a) **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the new Councillors elected take office;**
- b) **In a year which is not an election year, the annual meeting of a Council shall be held on such a day in May as the Council may direct;**
- c) **The annual meeting of the Council shall take place at 7pm;**
- d) **In addition to the annual meeting of the Council, at least three (3) other ordinary meetings shall be held in each year on such dates and times as the Council directs;**
- e) **The first business conducted at the annual meeting of the Council shall be the election of the Chairman and Vice-Chairman (if any) 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 they resign 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, they 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, they shall preside at the meeting until a new Chairman of the Council has been elected. They may exercise an original vote in respect of the case of an equality of votes;**
- j) Following the election of the Chairman and the Vice-Chairman at the annual meeting of the Council, the business of the annual meeting shall include:-
  - 1) **In an election year, delivery by the Chairman of the Council and Councillors of their declaration of acceptance of office form, unless the Council resolves for this to be done at a later date;**
  - 2) **In a year which is not an election year, delivery by the Chairman of the Council of their acceptance of office form, unless the Council resolves for this to be done at a later date;**

At the annual meeting, it is also best practice to:-

- To adopt all Chapters of the Constitution from Chapters 1 to 30
- Elections to Panels
- To approve and adopt the Panel Terms of Reference
- Appointments to Panels
- Appointments to Outside Bodies
- Timetable of all Meetings

### 3. Extraordinary Meetings

- a) **The Chairman of the Council may convene an extraordinary meeting of the Council at any time;**
- b) Any business of the extraordinary meeting of the council must be of relevance and within the remit of the council;
- c) **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 in writing to do so by 2 councillors, any two councillors may convene an extraordinary meeting of**

**the council. The public notice given the time, place and agenda for such meeting must be signed by the two councillors**

**4. Panels**

- a) The remit, terms of reference, timescales and membership shall be determined by resolution of the Council;
- b) The role of the panel is purely advisory and any advice provided to the Council will need to be formally adopted at a meeting of Full Council with the provision of supporting documentation. Separate summary notes of a meeting will be provided to the Council for noting only.
- c) The Council may dissolve a Panel at any meeting.
- d) Members of the public can attend Panel meetings, with the exception of the HR Panel, to observe only. Notice of Panel meetings will be published on the Council's website.
- e) All Councillors are entitled to observe panel meetings, with the exception of the HR Panel, where they are not a member and remain in the meeting for items in closed session.

**5. Task and Finish Groups**

- a) The remit, terms of reference, timescales and membership shall be determined by resolution of the Council;
- b) Task and Finish Groups are not public meetings;
- c) A Lead Councillor will be appointed at their first meeting;
- d) Task and Finish Groups may invite expertise whether internal or external to meet the group to offer advice and answer questions.
- e) It is expected that a review should be completed within a twelve week time frame with an interim and final report being submitted to Council.

**6. Outside Bodies**

- a) A Town Councillor you may be appointed to represent the Council on outside bodies. It is expected that any Councillor appointed, will report back to Council on activities as a representative on the body twice a year.

**7. Public Participation**

- a) **Meetings of Full Council and Panels 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.g. staffing matters, third party confidentiality clause, financial contract matters)
- b) Members of the public are permitted to address the Council;

- c) Subject to Standing Orders, each member of the public is entitled to speak at a meeting of Full Council once only in respect of business itemised on the agenda and shall not speak for more than three (3) minutes;
- d) The total period for public forum will not exceed fifteen (15) minutes;
- e) Any question asked in the Public Forum which cannot be dealt with either because of lack of time or information availability will be dealt with by a written answer within 7 working days of the meeting;

#### **8. Matters that must be resolved only by Council**

These are:

- a) Agreeing a budget;
- b) Precepting a rate;
- c) Borrowing money, in line with the Financial Regulations;
- d) Approving the end of the year accounts and approving submission of the Annual Return to the External Auditors;
- e) Incurring capital or revenue expenditure which is over and above the Council's approved budget;
- f) Adopting, amending or revoking Standing Orders, Financial Regulations or Duties, and Powers and Town Clerk provisions;
- g) Fixing the number of and the names of Councillors appointed to Panels;
- h) Agreeing the dates of the meetings of the Council;
- i) Filling of Councillor vacancies occurring on any Panel or Council [if required to do so by law];
- j) Proposing, amending, or revoking bye-laws in conjunction with NKDC;
- k) Making of Order under any statutory powers;
- l) Important matter of principle or policy which have been referred directly by the Town Clerk;
- m) Prosecution of defence in a court of law;
- n) All matters affecting the appointment, promotion, discipline, salary and conditions of service of the Town Clerk;
- o) Annually review and propose changes to the Council's Constitution, Policies and Strategic Plan;
- p) Acquiring and disposing land other significant assets and commission of services.

#### **9. General Power of Competence**

- a) Before exercising the power of general competence, the Council must resolve that it meets the statutory criteria, and that a resolution has to be renewed at the annual meeting of the Council that takes place in a year of ordinary elections;
- b) 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 which was not completed before the expiry of the Council's preceding period of competence.

## Roles & Responsibilities – Part 2

### 10. Chairman

- a) The Chairman is elected by the Councillors of the Council at the Annual Council Meeting and serves for twelve months (Section 14(1) of the Local Government Act 1972);
- b) **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. The person at a meeting may exercise all the power and duties of the Chairman in relation to the conduct of the meeting;**
- c) **The Chairman of the Council, unless they have resigned or become disqualified, shall continue in office and preside at the annual meeting until their successor is elected at the next annual meeting of Council;**
- d) The Chairman's main role is to run the Council meetings. The Chairman is responsible for ensuring that effective and lawful decisions are taken at meetings of the Council and, assisted by the Town Clerk, guides activities by managing the meeting of the Council. The Chairman is responsible for involving all Councillors in discussion and ensuring that Councillors keep to the point. The Chairman summarises the debate and facilitates the making of clear resolutions and is responsible for keeping discussions moving so that the meeting is not too long;
- e) **The Chairman of a meeting may give an original vote on any matter put to the vote, and in the case of any equality of votes may exercise their casting vote whether or not they gave an original vote;**
- f) In the case of any equality of votes may exercise their casting vote whether or not they gave an original vote;
- g) The Chairman will also act as the Town Council's Mayor. As the Mayor, the Chairman will often be the public face of the Council and will represent the Council at official events. The Chairman may be asked to speak on behalf of the Council and, in such circumstances, should only express the agreed views of the Council and not their personal views;
- h) The Chairman cannot legally make a decision on behalf of the Council;
- i) In summary the Chairman of the Town Council has no more powers or duties than any other Councillor. Some responsibilities which fall to the Chairman are:-
  - Determining that the meeting is properly constituted and quorate;
  - Informing her/himself as to the business and objects of the meeting;

- Confining discussion within the scope of the meeting and reasonable time limits;
  - Deciding on the validity of motions and amendments and points of order;
  - Adjourning the meeting (when circumstances justify and bearing in mind that right to adjourn is vested in the meeting); and
- j) The Chairman will receive £1600 (£800 for Chairman's Allowance and £800 for basic parish councillor allowance) which will increase annually with Consumer Price Index.
- k) The Chairman will also act as the Town Council's Mayor. As the Mayor, the Chairman will often be the public face of the Council and will represent the Council at official events. The Chairman may be asked to speak on behalf of the Council and, in such circumstances, should only express the agreed views of the Council and not their personal views;
- l) The Chairman cannot legally make a decision on behalf of the Council.

#### 11. Vice Chairman

- a) **The Vice-Chairman of the Council, if any, unless they have resigned or become disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council;**
- b) The Vice-Chairman's responsibilities are solely to deputise for the Chairman and the Mayor if they are not available;
- c) The Vice-Chairman will assist the Chairman in Full Council Meetings to ensure that they run smoothly and effectively.

#### 12. The Town Clerk (Proper Officer) shall:

- a) Where there is sufficient time or the Council does not wish to use their full process, the Council may wish to use the delegated power of the Town Clerk as they are entitled to do under S.101 of the Local Government Act 1972;
- b) The Town Clerk can make a decision in line with the Financial Regulations;
- c) Administration of the affairs of the Council;
- d) Advise the Council on policy matters;
- e) Guiding the Chairman/Town Mayor on procedural issues;
- f) Ensure that Council decisions after due deliberation are conducted according to the relevant rules, regulations and procedures;
- g) **Give public notice of the time, place and agenda at least three (3) clear days before a meeting of the Council or a meeting of a committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by Councillors is signed by them);**
- h) **Convene a meeting of Full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in their office;**
- i) **Receive and retain copies of bylaws made by other local authorities;**
- j) Advise Council of Governance, Ethical and Procedural matters;
- k) Implement decisions of the Council via delegated authority and have overall managerial responsibilities for service delivery;

- l) Have managerial responsibilities including recruitment, absence management, performance management, training, disciplinary and grievances. Alterations to the corporate staff structure and changes to staff grading shall remain Council responsibility;
- m) **Subject to Standing Orders, the Council’s common seal shall alone be used for sealing a deed required by law. It shall be applied by the Town Clerk in the presence of two Councillors, who shall sign the deed as witness;**
- n) As the Responsible Financial Officer (RFO), effective management of resources.

### 13. All Councillors

Individuals have a duty to act properly as a Councillor. In particular they have a responsibility to: -

- attend meetings when summoned to do so; the notice to attend a council meeting is, in law, a summons, because councillors have a duty to attend;
- prepare for meetings by studying the agenda and making sure they are properly informed about issues to be discussed;
- take part in meetings and form sound judgements based on what is best for the community – and then to abide by majority decisions;
- ensure, with other councillors, that the council is properly managed;
- represent the whole electorate, and not just those who votes for them; listen, and then represent the views of the community when discussing council business and working with outside bodies;
- **disclose to a meeting at which you are present any disclosable pecuniary interest in relation to an agenda item and withdraw from the meeting during the consideration of the matter**
- maintain proper standards of behaviour as an elected representative, in accordance with the Council’s Code of Conduct (Chapter 10).

Interests	Dispensations
Unless they have been granted a dispensation, a Councillor with voting rights shall withdraw from a meeting when it is considering a matter in which they have a Disclosable Pecuniary Interest. They may return to the meeting after it has considered the matter in which they had an interest.	<b>Dispensation requests shall be in writing and submitted to the Town Clerk, or failing that, at the start of the meeting for which the dispensation is required.</b>
Unless they have been granted a dispensation, a Councillor shall withdraw from a meeting when it is considering a matter in which they have another interest, if so required by the Council’s Code of Conduct. They may return to the meeting after it has considered the matter in which they have had the interest.	<b>A dispensation may be granted in accordance with Standing Orders if having regard to all relevant circumstances for the following applies:</b>  <b>1) Without the dispensation, the number of persons prohibited from participating in the particular business would be so great a</b>



	<p><b>proportion of the meeting transacting the business as to impede the transaction of the business or;</b></p> <p><b>2) Granting the dispensation is in the interests of persons living in the Council's area or;</b></p> <p><b>3) It is otherwise appropriate to grant a dispensation</b></p>
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**14. Relations with the Press/Media**

- a) All requests from the press or other media for an oral or written statement or comment from the Council shall be processed in accordance with the Council's policy in respect of dealing with the press and/or the media;
- b) In accordance with the Council's policy in respect to dealing with the press and/or other media, Councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media, without agreement from the Town Clerk. However, they may comment in a personal capacity;
- c) In accordance with the Council's Publicity and Events in the Pre-Election Period Guidance Policy (Purdah), Councillors shall adhere to this guidance during the qualifying election period.

**15. Complaints about behaviour**

- a) **Upon notification by the District Council that it is dealing with a complaint that a Councillor has breached the Council's Code of Conduct, the Town Clerk shall, subject to Standing Orders report this to the Council;**
- b) **Upon notification by the District Council that a Councillor has breached the Council's Code of Conduct, the Council shall consider what, if any, action to take against them. Such action excludes disqualification or suspension from office;**

**Agenda – Part 3**

**16. Publication of Agenda**

- a) **The minimum three clear days' notice of a meeting does not include 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 a bank holiday or a day appointed for the public thanksgiving or mourning.**
- b) Prior to a Council meeting all Councillors will be summoned to attend.
- c) If, prior to a meeting, a Councillor has submitted reasons for their absences at the meeting, the Clerk will inform the meeting that reasons for the absence have been

submitted. This will be noted by the meeting and shall be recorded as noted in the minutes of the meeting for which the reasons were submitted.”

- d) Before the 6-month deadline, for any member not attending, the Clerk will request a reason for the persistent absence and ask whether the member wants an extension to the 6-month period. The Clerk would then bring that request to the Council to vote on.

## 17. Minutes

- 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 present and absent;
  - iii. The exact nature of Interests that have been declared by Councillors with voting rights;
  - iv. Whether a Councillor left the meeting when matter that they held interests in were being considered;
  - v. If there was a participation session;
  - vi. The resolution made and the detail of any recorded votes.
- b) If the draft minutes of a preceding meeting have been served on Councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read;
- c) There shall be no discussion about draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the minutes shall be moved in accordance with Standing Orders;
- d) The accuracy of draft minutes, including any amendment(s) made to them, 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;
- e) If the Chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, they shall sign the minutes and include a paragraph in the following terms or to the same effect;
  - “The Chairman of this meeting does not believe that the minutes of the meeting of the Sleaford Town Council held on [date] in respect (*insert agenda item*) were a correct record by their view, was not upheld by the meeting and the minutes as an accurate record of the proceedings.”
- f) Upon a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes of the meeting for which approved minutes exist shall be destroyed.

## 18. Motions for a Meeting that require written notice to be given to The Town Clerk

- a) A motion shall relate to the responsibilities of the meeting which it is tabled for and in any event shall relate to the performance of the Council’s statutory functions,

power and obligations or an issue which specifically affects the Council's area or its residents;

- b) No motion may be moved at a meeting unless it is on the agenda (this includes written recommendations from the Town Clerk which Councillors must turn into proposals if so required) and the mover together with a seconder has given written notice of its wording to the Town Clerk at least five (5) clear working days before the meeting. Clear days do not include the day of the notice or the day of the meeting;
- c) The Town Clerk may, before including a motion on the agenda, correct obvious grammatical or typographical errors in the wording of the motion;
- d) If the Town Clerk considers the wording of a motion received in accordance with Standing Orders is not clear in the meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Town Clerk so that it can be understood;
- e) If the wording or subject of a proposed motion is considered improper, the Town Clerk shall consult with the Chairman of the forthcoming meeting or, as the case may be, the Councillors who have made the proposal, to consider whether the motion shall be included in the agenda or rejected;
- f) The decision of the Town Clerk as to whether or not to include the motion on the agenda shall be final.

#### 19. **Previous Resolutions**

- a) A resolution shall not be reversed within six (6) months except by a special motion, which requires written notice by at least 50% plus 1 of all Councillor to be given to the Town Clerk in accordance with Standing Orders;
- b) When a motion moved pursuant to Standing Orders has been disposed of, no similar motion may be moved within a further six (6) months, except where (a) above applies.

#### 20. **Inspection of Documents**

(Please note that confidentiality requirements may apply in some circumstances)

- a) Prior to a meeting, Councillors may for the purpose of their duty as such (but not otherwise), inspect any documentation in possession of the Council, on request, but supplied for the like purpose with a copy;
- b) **All minutes audio/visual recordings kept by the Council shall be open for the inspection by any Councillor of the Council or any member of the public;**

#### 21. **Handling Confidential or Sensitive Information**

- a) All confidential and sensitive information disclosed to Councillors shall be printed or emailed on yellow paper and will not be in the public domain.
- b) Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest. eg. contracts, personal matters;
- c) If, at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service, of any person employed by the Council, it shall not be considered until the Council has decided whether or not the press and public shall be excluded using power to exclude the press and public in accordance with the Public Bodies (Admission to Meetings) Act 1960 due to any confidential nature of the business to be discussed;
- d) Any Councillor in breach of the provision of this Standing Order shall be suspended from the Council by resolution of the Council.

#### **At the meeting – Part 4**

#### **22. Quorum of the Council**

- a) **No business may be transacted at a meeting unless at least one third (six Councillors) of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three;**
- b) **If a meeting is or becomes inquorate, no business shall be transacted,** and the meeting shall be adjourned. The business on the agenda for the meeting shall be adjourned to another meeting.

#### **23. Standing Orders General**

- a) The decision of the Chairperson at a meeting as to the application of Standing Orders at the meeting shall be final.
- b) Any or every part of the Standing Orders, except those printed in bold type, may be suspended by resolution in relation to any specific items of business.

#### **24. Admission of the Public and Press at Meetings**

- a) **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;**
- b) **The recording of Council Meetings is permitted under the Openness of Local Government Bodies regulations 2014 but the recording will be carried out in accordance with the separate Recording of Meetings Policy (as adopted) by Sleaford Town Council to effectively and lawfully manage this activity;**

- c) Requests from the press or other media for an oral or written comment or statement from the Council, its Councillors or staff shall be handled in accordance with the Council's Communications, Press and Social Media Policy;
- d) **The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present;**
- e) If a member of the public interrupts' proceedings at any meeting, the Chairman may, after warning, order that they be removed from the meeting and may adjourn the meeting for such period as is necessary to restore order;
- f) Members of the public may speak and make representation to the Council in accordance with the procedure adopted by the Council for the public speaking at meetings.

## 25. **Motions at a Meeting that do not require written notice**

The following motions may be moved at a meeting without written notice to the Town Clerk;

- a) To approve the absence of Councillors;
- b) To correct inaccuracy in the draft minutes of the previous meeting;
- c) To move a vote;
- d) To defer consideration of a motion;
- e) To refer a motion to a particular Panel;
- f) To appoint a person to reside at a meeting;
- g) To change the order of business on the agenda;
- h) To proceed to the next business of the agenda;
- i) To require a written report;
- j) To appoint or disband a Panel and their Councillors;
- k) To extend the time limits for speaking;
- l) To exclude the press and public from a meeting in respect of confidential or sensitive information which is prejudicial to the public interest;
- m) To hear further from a Councillor or a member of the public;
- n) To exclude a Councillor or a member of the public for disorderly conduct;
- o) To temporarily suspend the meeting;
- p) To suspend a particular Standing Order (unless it reflects mandatory statutory requirements);
- q) To appoint a small group of Councillors to consider a report and/or recommendations made by an employee, professional advisor, expert or consultant, or to represent the Council for a specific limited tasks;
- r) To authorise legal deeds to be signed or sealed using the Council's common seal by the Town Clerk and witnessed by two Councillors;
- s) To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it;
- t) To give the consent of the Council if such consent is required by Standing Orders;
- u) To consider a motion of no confidence in the Chairman of the meeting;
- v) To consider a motion of no confidence in a Councillor only when that Councillor is present;

- w) To consider a motion relating to conduct and behaviour of a Councillor;
- x) To appoint representatives to Outside Bodies and to make arrangements for those representatives to report back the activities of Outside Bodies;
- y) To adjourn and/or close the meeting.

## 26. Rules of debate at a Meeting

- a) 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;
- b) No meeting of the Town Council (including Panel Meetings) shall exceed three (3) hours;
- c) 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 or by Council agreement;
- d) A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- e) A motion on the agenda that is not moved by its proposer shall be treated by the Chairman of the meeting as withdrawn;
- f) If a motion (including an amendment) has been seconded, it shall be withdrawn by the proposer only with the consent of the seconder and the meeting;
- g) An amendment is a proposal to remove or add words to a motion. It shall not negate the motion;
- h) If an amendment to the original motion is carried, the original motion becomes the substantive motion upon which further amendment(s) may be moved;
- i) A Councillor may move an amendment to their 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;
- j) 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;
- k) Subject to Standing Orders, only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman of the meeting;
- l) 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;

- m) A Councillor may not move more than one amendment to an original or substantive motion;
- n) The mover of an amendment has no right of reply at the end of debate on it;
- o) Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate of the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote;
- p) 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 they last spoke;
  - iii. To make a point of order;
  - iv. To give a personal explanation; or
  - v. In exercise of a right of reply.
- q) During the debate of a motion, a Councillor may interrupt 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 they consider has been breached or specify the other irregularity in the proceedings of the meeting they are concerned by;
- r) A point of order shall be decided by the Chairman of the meeting and their decision shall be final;
- s) 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 Panel 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 requirements.
- t) Before on 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 their right of reply;

- u) Excluding motions moved under Standing Orders, the contribution or speeches by a Councillor shall relate only to the motion under discussion and shall normally be up to three (3) minutes.

## 27. Right of Reply

- a) The mover of a resolution shall have the right of reply immediately before the resolution is put to the vote. If any amendment is proposed, the mover of the amendments shall be entitled to reply immediately before the amendment is put to the vote. A Councillor exercising a right of reply shall not introduce a new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

## 28. Disorderly Conduct at a Meeting

- 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 Councillors or the Chairman of the meeting may move that the person be no longer heard or excluded from the meeting. The motion, if seconded shall be put to the vote without discussion;
- c) If a resolution made under Standing Orders is ignored, the Chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting;
- d) No Councillor at a meeting will persistently disregard the ruling of the Chairman, wilfully obstruct business, or behave irregularly, offensively, improperly **or in such a manner as to bring the Council into disrepute;**
  - i. If, in the opinion, of the Chairman and following a majority vote of the Councillors present, a Councillor or Member of the Public has not complied to a request under Standing Orders, the Chairman shall instruct that the person will no longer be heard, and the meeting be temporarily suspended until the person has left the meeting.
- e) If the motion mentioned is disobeyed, the Chairman may adjourn the meeting or take such further steps as may reasonably be necessary to enforce them.

## 29. Voting



- a) Councillors ***shall vote by show of hands*** or in ***a clear and demonstrative manner*** or if it is proposed, seconded and resolved, by signed ballot; **all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.** Unless having declared an interest or abstaining on any proposal at a Council meeting all Councillors are expected to vote. Any Councillor who does not vote will be classed as abstaining;
- b) **If a Councillor so requires, the Town Clerk shall record names of the Councillor(s) who voted on any questions so as to show whether they voted for or against it. Such a request must be made before moving on to the next business;**
- c) **Subject to Standing Order, the Chairman may give an original vote on any matter put to the vote and in any case of an equality of votes may give a casting vote whether or not they gave an original vote;**

### 30. Recorded Voting

- a) Any request for a recorded vote of all Councillors regarding a Motion by a Councillor must be proposed and seconded before the vote is taken. The voting on any Motion shall be by roll call and shall be recorded in the minutes so as to show how each Councillor present voted.
- b) **Where any Councillor requests it immediately after a vote is taken, their vote will be so recorded in the minutes to show whether they voted for or against the Motion or abstained from voting.**

### 31. Voting on Appointments

- a) If there are more than two people nomination for any position to be filled and there is not a clear majority of votes in favour of one person, the name of the person with the least number of votes will be taken off the list and a new vote will be taken. The process will continue until there is a majority of votes for one person.
- b) To simplify this process, Councillors shall only be able to vote for one person
- c) Any tie may be settled by the Chairman's casting vote.

## Finance - Part 5

### 32. Financial Controls and Procurement

- a) The Town Council shall consider and approve financial regulations drawn up by the Town Clerk, 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 account and/or orders of payments;

- v. Procurement policies including the setting of values for different procedures where a contract has been 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 estimate value in excess of [60,000] shall be procured on the basis of a formal tender as summarised in Standing Orders;**
- 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 draw up to confirm (i) to 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 Councillor or staff to encourage or support their tender outside the prescribed process;
  - iii. The invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
  - iv. Tenders are to be submitted in writing in a sealed marked envelope addressed to the Town Clerk;
  - v. Tenders shall be opened by the Town Clerk 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.
- e) The Council is not 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 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.**

### 33. **Accounts and Accounting Statements**

- 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 law, proper practices and the Council's Financial Regulations;

- c) The Town Clerk shall supply to each Councillor as soon as possible after 30 June, 30 September and 31 December a statement to summarise
  - i. The Council's receipts and payments for each quarter;
  - ii. The Council's aggregate receipts and payments for the year to date;
  - iii. The balances held at the end of the quarter 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 Town Clerk shall provide:
  - i. The Council with a statement summarising the Council's income and expenditure for the last quarter and the year to date for information; and
  - ii. To Council the accounting statements for the year in the form of Section 2 of the Annual Governance and Accountability Return, as required by proper practice, for consideration and approval.
- e) The year-end accounting statements shall be prepared in accordance with proper practices and applying the form of accounts determined by the Council income and expenditure for a year to 31 March. A completed draft annual return shall be presented to Council before the end of the following month of May. The annual return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to Council for consideration and formal approval before 30 June.

#### 34. **Annual Budget and Precept**

**The Council shall approve the budget for the coming financial year** before the end of January each year and instruct the Town Clerk to submit the precept demand.

#### 35. **Expenditure**

- a) **Orders for payment of money shall be authorised by resolution of the Council;**
- 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 to exercise of any of the Council's functions to be delegated to a Panel or to the Town Clerk.**

#### **Planning Protocol - Part 6**

#### 36. **Planning Applications**

A weekly list of current planning applications for consultation are circulated to all Councillors via email. This email is sent weekly in between Council meetings.

If a Councillor wishes for any item to be discussed, a written submission must be made to the Clerk 5 clear working days before the meeting, stating the item to be and material consideration to be discussed.

All planning applications will be reported to Council at their meeting in the form of a written report.

Where planning applications have **not** been raised to be discussed, these will receive **no comment**. A motion will be voted upon at the meeting to confirm this action.

Where a planning application has been raised for discussion, this will be discussed and voted upon separately at the Full Council Meeting.