



DOVER TOWN COUNCIL

STANDING ORDERS

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DOVER TOWN COUNCIL

STANDING ORDERS

These Standing Orders were adopted by Dover Town Council at its Meeting held on 3 August 2016 – Minute No. 117b) and amended on tbc – Minute No. tbc)

These Standing Orders are based on the 2013 NALC model.

BOLD – statutory requirements in LAW

- N.B. a) *For the purposes of these Standing Orders, references to the Chairman and Vice-Chairman of the Council shall mean the Mayor and Deputy Mayor.*
- b) *Any reference to the Council shall apply equally to Full Council meetings, Committee and Sub-Committee meetings.*

1. MEETINGS

- a. Meetings of the Council shall be held at the Council offices, Maison Dieu House, Biggin Street, Dover at 6 p.m. unless the Council otherwise decides at a previous meeting. Except in exceptional circumstances, when the Town Clerk may, in consultation with the Council Chairman and in accordance with statute, change the place and time of a meeting of the Council.
- b. Except at the discretion of the Council (by taking a vote), all council meetings should finish not later than 9 pm and/or last longer than 3 hours. The Council may resolve to continue to finalise the item under discussion at 9 pm or at the end of 3 hours. Any business on the agenda not transacted shall be carried over to another meeting.
- c. **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- d. Subject to Standing Order 1(c) above, at the invitation of the Chairman, members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included in the agenda.
- e. Each councillor (subject to Standing Order 8(m to o)) or member of the public is entitled to speak once only in respect of an item of business on the agenda and shall not speak for more than 3 minutes (subject to Standing Order 1(d)).
- f. In accordance with Standing Order 1(d) above, a question posed by a member of the public during a public participation session at a meeting shall not require a response or debate.

- g. In accordance with Standing Order 1(g) above, the Chairman may direct that a response to a question posed by a member of the public be referred to a Councillor or to an employee for a written or oral response.
- h. A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- i. A Councillor or member of the public shall raise his/her hand when requesting to speak, identify his/herself and may stand when speaking.
- j. If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that he/she be removed from the meeting and may adjourn the meeting for such period as is necessary to restore order.
- k. All persons speaking at a meeting must address their comments to the Chairman.
- l. Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chairman shall direct the order of speaking.
- m. When the meeting is open to the public, any person attending the meeting for the purpose of reporting the proceedings is, so far as is practicable, to be afforded reasonable facilities for making their report.
- n. The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Deputy-Chairman, if present, shall preside. If both the Chairman and the deputy-Chairman are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.
- o. Subject to Standing Order 1 (v) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.
- p. 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/her casting vote whether or not he/she gave an original vote. (*See also Standing Orders 2 (f) and (g) below.*)
- q. Unless Standing Orders provide otherwise, voting on any question shall be by a show of hands. At the request of a Councillor, prior to any vote being taken, the voting on any question shall be recorded so as to show whether each Councillor present and voting gave his vote for, against or abstained.
- r. Every Councillor attending a meeting of the Town Council or of any of its Committees or Sub-Committees shall sign his or her name in the Attendance Record provided for that purpose.
- s. Prior to a meeting, Councillors' apologies with a reason for absence from that meeting should be submitted to the clerk and reported to the meeting.
- t. The code of conduct adopted by the Council shall apply to Councillors in respect of the entire meeting.

- u. Three members or one-third of the membership whichever is the greater shall constitute a quorum at meetings of the Council. If a quorum is not present, or if during a meeting the number of Councillors present (not counting those debarred by reason of a declared disclosable pecuniary interest) falls below the required quorum, the meeting shall be adjourned. Any outstanding business not transacted shall be transacted at a subsequent meeting.
- v. The Town Mayor shall be an ex-officio member of every Committee and Sub-Committee.

2. STATUTORY ANNUAL COUNCIL MEETING

- 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. 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.
 - d. The election of the Chairman and Deputy-Chairman (if any) of the Council shall be the first business completed at the annual meeting of the Council.
 - e. The Chairman of the Council, unless s/he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his a successor is elected at the next annual meeting of the Council.
 - f. In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, s/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.
- N.B. Whenever an election for Chairman of the Council takes place the person presiding must always give a casting vote in the case of an equality of votes.*
- g. In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, s/he shall preside at the meeting until a new Chairman of the Council has been elected. S/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.
- N.B. Note to Standing Order 2(f) also applies.*
- h. At the annual meeting of the Council a Councillor shall stand when speaking unless permitted by the Mayor to sit on account of infirmity.
 - i. Following the election **declarations of acceptance of office** of the Chairman of the Council and Deputy-Chairman (if any) of the Council at the annual meeting of the Council, the order of business may include the following.

- (i) ~~In an election year, d~~ Delivery by Councillors of any outstanding declarations of acceptance of office.
- (ii) ~~To receive any declarations of disclosable pecuniary interest.~~
- (iii) ~~To confirm the accuracy of the minutes of the last meeting of the Council.~~
- (iv) ~~To receive and note minutes of Committees.~~
- (v) ~~To determine recommendations made by Committees.~~
- (vi) ~~Review of delegation arrangements to Committees, Sub-committees, employees and other local authorities.~~ (item moved see 3 below)
- (vii) ~~Receipt of nominations to Committees.~~
- (viii) Appointment of any new Committees, confirmation of their delegated powers, the number of members and receipt of nominations to them.
- (ix) ~~Review and adoption of appropriate Standing Orders and Financial Regulations.~~ (item moved see 3 below)
- (x) Review **Appointment** of representation on or work with external bodies and arrangements for reporting back.
- (xi) To deal with any business on the agenda expressly required by statute to be done ~~or which, because of its urgency, cannot wait until the next meeting.~~ **and any other business specified in the summons.**
- (xii) ~~To appoint an Honorary Chaplain or to resolve not to appoint an Honorary Chaplain.~~
- (xiii) ~~To appoint a Town Mayor's Cadet or to resolve not to appoint a Mayor's Cadet.~~
- (xiv) To receive a motion as to a vote of thanks to the former Town Mayor.
- (xv) To present a Past Mayors Badge to the former Town Mayor.
- (tbc) **To approve the Annual Report and Accounts**
- (tbc) **To deal with business expressly required by statute to be done**

3. ORDINARY COUNCIL MEETINGS

- a. At every meeting other than the Statutory Annual Meeting the first business shall be to appoint a Chairman for the duration of the meeting if the Chairman and Deputy-Chairman be absent.
- b. The order of business may include the following.

- (i) To receive any declarations of disclosable pecuniary interest.
- (ii) To read and consider the Minutes of the last **previous** meeting(s).
- (iii) After consideration to approve the signature of the Minutes by the person presiding as a correct record.
- (iv) ~~To co-opt or receive any new Member of the Town Council and to receive any such declarations of acceptance of office (if any) and undertakings to observe the Council's code of conduct and any other undertakings that are required by law to be made.~~ **Delivery by Councillors of any outstanding declarations of acceptance of office.**
- (v) Questions from members of the public **which have been submitted in writing at least 7 clear working days before the date of the meeting.**
- (vi) To deal with business expressly required by statute to be done.
- (vii) ~~To dispose of business, if any, remaining from the last meeting.~~
- (viii) ~~To receive and consider Minutes and reports of Committees.~~
- (ix) ~~To consider the position regarding vacancies on the Town Council.~~
- (x) To approve schedules of payments made by the Town Council since the last meeting.
- (xi) To make any appointments required of the Town Council and to receive reports from Town Council representatives on external organisations.
- (xii) To consider **note** the list of Mayoral engagements since the last meeting and to receive such communications as the person presiding may wish to lay before the Town Council.
- (xiii) To approve written budgets and approve the amount of the precept to be levied for the coming financial year (normally no later than the December meeting).
- (xiv) To receive and consider reports from **members and** officers of the Town Council.
- (xv) ~~To authorise the sealing of documents.~~
- (xvii) ~~To consider resolutions or recommendations received in accordance with Standing Order 3b(viii) and 3b(xiv).~~
- (tbc) Review of delegation arrangements to Committees, Sub-committees, employees and other local authorities.**
- (tbc) Review and adoption of appropriate Standing Orders, Financial Regulations and other regulatory documents.**
- (xviii) Any other business specified in the summons.

c. — ~~In any year without ordinary elections to the Town Council, the last Ordinary Town Council meeting may include the following business:~~

- (i) ——— To appoint a Town Mayor Elect for the next Municipal Year.
- (ii) ——— To appoint a Deputy Town Mayor Elect for the next Municipal Year.
- d. ~~At the first meeting in any municipal year of a Committee or Sub-committee the first order of business shall be to elect a Chairman and Vice Chairman.~~
- ~~The Chairman or Vice Chairman of the Committee in the previous municipal year (if s/he is both an elected councillor and appointed to the Committee) shall preside until the election of a Chairman for the current municipal year. In any other circumstances, the Chairman of the Council shall preside if present. If the Chairman of the Council is not present Committee members must choose a Chairman from among their number.~~
Moved to section 5 below
- e. All Standing Orders, including Financial Regulations shall apply to Committees and Sub-committees. Moved to section 5 below

4. EXTRAORDINARY MEETINGS

- a. The Chairman of the Council may at any time convene an extraordinary meeting of the Council **subject to Standing Order 1(a) and any other appropriate legislation.**
- b. If the Chairman of the Council does not or refuses to call an extraordinary meeting of the Council within 7 days of having received a requisition to do so in writing signed by two Councillors, any two Councillors may convene an extraordinary meeting of the Council subject to Standing Order 1(a). The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the Councillors convening the meeting.
- c. The Chairman of a Committee may at any time convene an extraordinary meeting of the Committee.

5. COMMITTEES/ADVISORY COMMITTEES/WORKING GROUPS

TBC All Standing Orders, including Financial Regulations shall apply to Committees and Sub-committees

tbc At the first meeting in any municipal year of a Committee or Sub-committee the first order of business shall be to elect a Chairman and Deputy Chairman.

The Chairman or Deputy Chairman of the Committee in the previous municipal year (if s/he is both an elected councillor and appointed to the Committee) shall preside until the election of a Chairman for the current municipal year. In any other circumstances, the Chairman of the Council shall preside if present. If the Chairman of the Council is not present Committee members must choose a Chairman from among their number.

- a. All Committees, working groups, and project boards are dissolved on the last day of each municipal year. Committee structure and membership will be resolved by the Council:
- b. Working groups, and project boards may be convened and appointed as required by **Council or** committees and may comprise Councillors and non-Councillors or be wholly composed of non-Councillors.
- c. Project Boards/Working Groups shall report to the Committee, or Town Council as appropriate and shall not have power to exercise on behalf of the Town Council any authority nor to incur expenditure from the Town Council, nor to issue any instruction or make any offer likely, in the opinion of the Chairman and the Town Clerk, to incur expense or to use excessive officer time or Council resources.
- d. Members of a Committee may allow non-Councillors to be appointed to the Committee. Such individuals will have no right to vote.

6. MOTIONS REQUIRING WRITTEN NOTICE

- a. Except as provided by these Standing Orders, no resolution may be moved unless the business to which it relates has been put on the Agenda by the Clerk or the mover has given notice in writing of its terms and has delivered the notice to the Clerk at least seven clear **working** days (~~excluding weekends and public holidays~~) before the next meeting of the Council.
- b. The Town Clerk shall insert in the summons for every meeting all notices of motion or recommendation properly given unless the member giving a notice of motion has stated in writing that he/she intends to move at some later meeting or that he/she withdraws it.
- c. 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, before deciding whether the motion shall be included or rejected in the agenda.
- d. Every motion rejected in accordance with Standing Order 6(c) shall be duly recorded with a note by the Proper Officer giving reasons for its rejection, which shall be open to inspection by all Councillors.
- e. Every resolution, recommendation or motion shall be relevant to some subject over which the Town Council has power or which directly affects its area.

7. 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.
 - (new) To defer consideration of a motion
 - (new) To move to a vote
 - (ix) To refer by formal delegation a matter to a Committee or an employee.
 - (x) To receive nominations to a Committee, Project Board or Working Group.
 - (xi) To dissolve a Committee, Project Board or Working Group.
 - (xii) To note the minutes of a meeting of a Committee, Project Board or Working Group.
 - (xiii) To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
 - (xiv) To extend the time limit for speeches.
 - (xv) To exclude the press and public for all or part of a meeting.
 - (xvi) To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
 - (xvii) **To suspend any Standing Order**, for the duration of the meeting only or in relation to a specified matter, **except those which are mandatory by law.**
 - (xviii) To adjourn **or close** the meeting
 - (xix) To record a vote (this must be requested before any vote takes place).
 - (xx) ~~To answer questions from Councillors.~~

(xxi) To grant a dispensation(s) under the ~~Code of Conduct~~ the **Local Government Act 1972 s85(1)**

- b. If a motion not requiring written notice falls within the delegated powers 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. However, the Chairman may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

8. 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 by resolution (see Standing Order 7a. (vi)).
- b. Subject to Standing Orders 6 (a)-(c) above, a motion shall not be considered unless it has been proposed and seconded.
- c. 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 such motions 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:
 - (i) To leave out words
or
 - (ii) To add words
or
 - (iii) To leave out words and add other words.
- g. An ~~proposed or carried~~ amendment to a motion shall not have the effect of rescinding **negating** the original or substantive motion under consideration.
- h. Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman. No further amendment to a motion shall be moved until the previous amendment has been disposed of.
- i. ~~Subject to Standing Order 8(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 8(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 amended motion 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 3 minutes. **A Councillor exercising a right of reply shall not introduce a new matter.**
- 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 8(m) and 8(n) above, a Councillor may only speak once in respect of any one motion. A Councillor may also speak once on an amendment to a motion moved by another Councillor or to make a point of order or to give a personal explanation. Speeches by Councillors should not be longer than 3 minutes.
- 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 s/he considers has been breached or specify the irregularity in the meeting s/he is concerned by.
- q. A point of order shall be decided by the Chairman with or without the advice of the Town Clerk and his/her decision shall be final.
- r. Subject to Standing Order 8(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 **on the agenda.**
 - (iii) To **close or** adjourn the debate.
 - (iv) To put the motion to a vote.
 - (v) ~~To ask a person to be silent or for him/her to leave the meeting.~~ **To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct**
 - (vi) To refer a motion **by formal delegation a matter** to a committee or sub-committee **or employee** for consideration.
 - (vii) To exclude the public and press **for all or part of the meeting.**

- (viii) To adjourn **or close** the meeting
- (ix) To suspend any Standing Order, except those which are mandatory.
- s. 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.
- t. Whenever the Chairman speaks during a debate all other members shall be seated and silent.
- u. The Chairman shall first be satisfied that the motion has been sufficiently debated before it is put to the vote. ~~The mover of a resolution shall have a right to reply immediately before the resolution is put to the vote. If an amendment is proposed the mover of the amendment 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.~~ **(moved to item (m) above.**
- tbc** After the right of reply has been exercised or waived **by the mover of a resolution or proposer of an amendment**, a vote shall be taken without further discussion.

9. CODE OF CONDUCT **AND DISPENSATIONS**

- a. All Councillors shall observe the code of conduct adopted by the Council.
- b. All Councillors shall be responsible for undertaking appropriate training in the code of conduct within 6 months of the delivery of their declaration of acceptance of office.
- tbc** **Dispensations 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.**
- tbc** **Requests for dispensations shall be considered at the start if the meeting for which the dispensation is required.**
- tbc*** **A decision as to whether to grant a dispensation shall be made by the meeting of the Council, or Committee or Sub-Committee for which the dispensation is requires and that decision is final.**
- tbc** **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 4 years) for which the dispensation is sought**
 - iv** **an explanation as to why the dispensation is sought**

tbc A dispensation may be granted in accordance with Standing Order tbc* above if having regard to all relevant circumstances the following applies:

i without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business or

ii granting the dispensation is in the interests of persons living in the council's area or

iii it is otherwise appropriate to grant a dispensation

c. Councillors with a Disclosable Pecuniary Interest/Category A Interest in relation to any item of business being transacted at a meeting must leave the room or the chamber and not take part in any debate or vote on the item. S/He must declare the existence of that Interest as soon as it becomes apparent to him/her if it is not already included in the Council's Register of Interests and notify the Council's monitoring officer of the Interest within 28 days. S/he may return to the meeting after it has considered the matter in which s/he had the interest

d. If a Councillor has a Category B Interest as defined by the Code of Conduct adopted by the Council then he/she shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest unless it is a sensitive Interest as previously disclosed and agreed with the Monitoring Officer; in which case only the existence of that Interest should be declared.

A Councillor with a Category B interest may ONLY (i) answer questions and (ii) give evidence relating to the business being transacted if members of the public are also allowed to speak at that meeting. He or she must not make representations, take part in the discussion or vote.

e. ~~The Council may grant a dispensation to a member for a period of up to 4 years in respect of the restrictions in 9(e) and 9(d) above.~~

10. 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)(iv) above. **does not require written notice.**

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. If the Chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate when confirmed by resolution of the meeting, s/he shall sign the minutes and include a paragraph in the following terms or to the same effect:

"The Chairman of this meeting does not believe that the minutes of the meeting of the () held on [date] in respect of () were a correct record but his view was not upheld by the majority of the () 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 made for the purpose of minuting shall be destroyed.

tbc The minutes of the meeting shall include an accurate record of the following:

- (i) The time and place of the meeting**
- (ii) The names of the Councillors present and absent with reasons for absence**
- (iii) Interests that have been declared by Councillors**
- (iv) Whether a Councillor left the meeting when matters in which they held interests in were being considered and voted on**
- (v) If there was public participation**
- (vi) The Resolutions made**

11. UNACCEPTABLE BEHAVIOUR

- a. No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. Councillors must not attend meetings of the Council, or act as a representative of the Council, if they are under the influence of drugs or alcohol as their ability to contribute and judgement will be impaired.
- b. If, in the opinion of the Chairman, there has been a breach of Standing Order 11(a) above, the Chairman shall express that opinion and thereafter any Councillor (including the Chairman) may move that the person be silenced or excluded from the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
- c. If a resolution made in accordance with Standing Order 11(b) above, is disobeyed, the Chairman may take such further steps as may reasonably be necessary to enforce it and/or s/he may adjourn the meeting.

12. 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, **which requires written notice by at least 6 councillors to be given to the Proper Officer at least 7 working days before the date of the meeting or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.** ~~the written notice whereof bears the names of at least 6 Councillors of the Council, or by a motion moved following a report to Full Council or recommendation of a committee because there is a substantive change in the~~

~~circumstances on which the decision was originally based in the view of the Chairman of the Council.~~

- b. In the event of Council voting to appoint a Mayor Elect and/or Deputy Mayor Elect in advance of Mayor Making then s12a applies. That means that no further vote shall be taken at Mayor Making when a Mayor Elect/Deputy Mayor Elect has been appointed.
- c. When a special motion or any other motion moved pursuant to Standing Order 12(a) above has been disposed of, no **similar motion** further rescission of that matter may be moved within a further 6 months.

13. 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.

14. 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.

15. EXECUTION AND SEALING OF LEGAL DEEDS

- a. A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.
- b. In accordance with a resolution made under Standing Order 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.
- c. An entry of every sealing of a document shall be made and numbered consecutively in a book to be provided for the purpose and shall be signed by the person who shall have applied the seal.

- d. Where any document will be a necessary step in legal proceedings or transactions or business authorised by the Town Council, it shall be signed by the Town Clerk (or in his or her absence by the Treasurer).

16. INSPECTION OF DOCUMENTS REQUESTS FOR INFORMATION

- 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), inspect any document in the possession of the Council or a Committee unless the information is restricted under the Data Protection Act or otherwise excluded by legislation.~~

~~The minutes of meetings of the Council, and its Committees shall be available for inspection by Councillors.~~

- tbc Requests for information held by the council shall be handled in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000 and Data Protection Act 1998 and other applicable statutory regulation.

- tbc Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Chairman of the Council. The Chairman of the Council and the Proper Officer shall have the power to do anything to facilitate compliance with applicable statutory regulation.

17. UNAUTHORISED ACTIVITIES

- a. No individual Councillor shall in the name or on behalf of the Council, or a Committee:
- (i) Inspect any land and/or premises which the Council has a right or duty to inspect.
 - (ii) Issue orders, instructions or directions **or enter into agreements and/or financial commitments of any kind. The Council will not recognise or assume responsibility for any such arrangements.**
 - (iii) **Hold themselves out or give the impression to any third party that they are acting on behalf of the Council except with the express authorisation of the Town Council and/or as delegated to the Proper Officer.**

18. CONFIDENTIAL BUSINESS

- a. ~~Councillors and employees shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature. This includes information restricted under the Data Protection Act and other legislation.~~

- b. ~~A Councillor in breach of the provisions of Standing Order 18(a) above may be removed from a Committee or Committees by a resolution of the Council.~~

(moved to item 20 below)

19. SOLICITING FOR APPOINTMENTS

- a. A Councillor shall not solicit for any person an appointment under the Council or recommend any person for such appointment, or promotion; but, nevertheless a Councillor may give a written testimonial of a candidate's ability, experience or character for submission to the Council with any application for an appointment.
- b. Standing Order 19(a) above, shall apply to tenders as if the person making the tender were a candidate for appointment.

20. MATTERS AFFECTING COUNCIL EMPLOYEES AND CONFIDENTIAL BUSINESS

- a. 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 or Committee (as the case may be) has decided whether or not the press and public shall be excluded. (See Standing Orders 1 (c) and 7 (a (xv)).
- b. Annually, Council shall review the pay and conditions of service of existing employees. The review should normally be undertaken in April of each year.
- tbc** Councillors and employees shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature. This includes information restricted under the Data Protection Act and other legislation.
- tbc A Councillor in breach of the provisions of Standing Order tbc** above may be removed from a Committee or Committees by a resolution of the Council.

21. 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.

22. 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/her declaration of acceptance of office.

- b. The Chairman's decision as to the interpretation of Standing Orders at meetings shall be final with or without the advice of the Town Clerk.
- c. A Councillor's failure to observe Standing Orders more than 3 times in one meeting may result in him/her being excluded from the meeting in accordance with Standing Order 11.

23. PROPER OFFICER

- a. The Town Clerk (and in his or her absence the Treasurer) shall have authority to make urgent decisions on behalf of the Town Council that cannot await the next Town Council or Committee meeting after consultation with the Mayor (or in his or her absence the Deputy Mayor) or the relevant Committee Chairman (or in his or her absence the Vice-Chairman) as appropriate.

When it is proposed to take urgent action that involves expenditure the Treasurer will be consulted and asked to give his or her advice as the Responsible Finance Officer and that advice will be recorded with the action agreed to be taken.

- b. The Town Clerk shall do the following:
 - (i) **Sign and serve on Councillors by delivery or post at their residences a summons confirming the time, date, venue and the agenda of a meeting of the Council or a meeting of a Committee at least 3 clear days excluding Sundays and Public Holidays before the meeting.**

As an alternative the summons may be served electronically provided the relevant e-mail includes the electronic signature or copy of the summons including the actual signature and title of the Proper Officer.
 - (ii) **Give public notice of the time, date, venue and agenda at least 3 clear days (excluding Sundays and Public Holidays) before a meeting of the Council or a meeting of a Committee subject to an exception in the case of Standing order 4(b) and 4(c) above.**
 - (iii) **Receive and retain copies of bylaws made by other local authorities.**
 - (iv) **Receive and retain declarations of acceptance of office from Councillors.**
 - (v) Retain custody of the Common Seal of the Council which shall not be used without a resolution to that effect.
 - (vi) Action or undertake activity or responsibilities instructed by resolution or contained in legislation or in Standing Orders.

