STANDING ORDERS

Subject to resolution by the Council, or unless herein stated otherwise, the Deputy Clerk may, at the request of the Clerk, or in the absence or incapacity of the Clerk, carry out any function of the Clerk (Proper Officer) under these Standing Orders, and references to the Clerk herein include the Deputy Clerk.

Standing orders that are in bold type contain statutory requirements

1. Rules of debate at meetings

a) Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the Chair of the meeting.
b) An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
c) If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the Chair.
d) One or more amendments may be discussed together if the Chair of the meeting considers this expedient, but each amendment shall be voted upon separately.

2. Disorderly Conduct at meetings

a) No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the Chair of the meeting shall request such person(s) to moderate or improve their conduct.
b) If person(s) disregard(s) the request of the Chair of the meeting to moderate or improve their conduct, any Councillor or the Chair of the meeting may move that the person(s) 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 order 2(b) above is ignored, the Chair 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.

3. Meetings generally

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) **The minimum three clear days for 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 of a bank holiday**

or a day appointed for public thanksgiving or mourning.

c) **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice.**

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

e) Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.

f) The period of time designated for public participation at a meeting in accordance with standing order 3(e) above shall be directed by the Chair of the meeting.

g) Subject to standing order 3(f) above, the Chair will notify members of the public the length of time it is permissible to speak for.

h) In accordance with standing order 3(e) above, a question shall not require a response at the meeting nor start a debate on the question. The Chair of the meeting may direct that a written or oral response be given.

i) A person shall raise his hand when requesting to speak.

j) A person who speaks at a meeting shall direct his comments to the Chair of the meeting.

k) Only one person is permitted to speak at a time. If more than one person wants to speak, the Chair of the meeting shall direct the order of speaking.

l) **The Chair of the meeting shall ask all in attendance whether anyone wishes to photograph, record, broadcast or transmit the proceedings of the meeting. Anyone intending to do so should advise the Chair at the meeting. No oral report or running verbal commentary is permitted during the meeting.**

m) **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.**

n) **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, or before the Chair of the Council may in his absence be done by, or before the Vice-Chair of the Council (if any).**

o) **The Chair, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair, if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.**

p) **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the Councillors or Councillors with voting rights present and voting.**

q) **The Chair of a meeting 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 standing orders 5(i) and (j) below for the different rules that apply in the election of the Chair of the Council at the annual meeting of the council.

r) **Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a Councillor, the voting on any question shall be recorded so as to show whether each Councillor present and voting gave his vote for or against that question**. Such a request shall be made before moving on to the next item of business on the agenda.

s) 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. interests that have been declared by Councillors and non-Councillors with voting rights;
   iv. whether a Councillor or non-Councillor with voting rights left the meeting when matters that they held interests in were being considered;
   v. if there was a public participation session; and

vi. the resolutions made.

t) **A Councillor or a non-Councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.**

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 three.**

v) **If a meeting is or becomes inquorate no business shall be transacted** and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.

w) A meeting shall not exceed a period of two hours without approval from the Council.

x) Full Council meetings and Committee/Working Group meetings may be conducted by means of remote video conference so long as Government legislation permits this. Partial video conference attendance at a meeting held in person physically (i.e. any meeting at which Councillors meet in one physical location) is not permitted. Meetings must be 100% physical or 100% video conference. Any such video conference meeting shall be held using a platform which allows members of the public to participate. The video conference provider will be reviewed on a regular basis by the Finance and Governance Committee.

4. Committees and sub-committees

a) **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**

b) **The members of a committee may include non-Councillors unless it is a committee which regulates and controls the finances of the Council.**

c) **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-Councillors.**

d) The Council may appoint standing committees or other committees as may be necessary, and:

i. shall determine their terms of reference;

ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of Full Council;

iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;

iv. shall, subject to standing orders 4(b) and (c) above, appoint and determine the terms of office of members of such a committee;

v. may, subject to standing orders 4(b) and (c) above, appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer that they are unable to attend;

vi. shall, after it has appointed the members of a standing committee, appoint the Chair of the standing committee;

vii. shall permit a committee other than a standing committee, to appoint its own Chair at the first meeting of the committee;

viii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which shall be no less than three;

ix. shall determine if the public may participate at a meeting of a committee;

x. shall determine if the public and press are permitted to attend the meetings of a sub-committee and, also the advance public notice requirements, if any, required for the meetings of a sub-committee;

xi. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to

attend; and

xii. may dissolve a committee

5. Ordinary Council Meetings

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 6pm.

d) In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council directs.

e) Meetings will normally be held on the first Monday of each month unless it is a Bank Holiday, in which case the meeting shall be held as soon as practically possible. The meetings will commence at 7.30pm unless another time is specifically agreed by the Council. The Clerk will prepare a draft list of suggested dates and submit it to the Council for agreement.

f) The first business conducted at the annual meeting of the Council shall be the election of the Chair and Vice-Chair (if any) of the Council.

g) The Chair 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.

h) A Chair shall serve no more than five consecutive years.

i) The Vice-Chair of the Council, if any, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.

j) In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, he shall preside at the meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but must give a casting vote in the case of an equality of votes.

k) In an election year, if the current Chair of the Council has been re-elected as a member of the Council, he shall preside at the meeting until a new Chair of the Council has been elected. He may exercise an original vote in respect of the election of the new Chair of the Council and must give a casting vote in the case of an equality of votes.

l) Following the election of the Chair of the Council and Vice-Chair (if any) of the Council at the annual meeting of the Council, the business of the annual meeting shall include:

i. **In an election year, delivery by the Chair of the Council and Councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chair of the Council of his acceptance of office form unless the Council resolves for this to be done at a later date;**

ii. In an election year of the Council to set in motion the filling of any vacancies left unfilled at the election by reason of insufficient nominations;

iii. A decision as to when any declarations of acceptance of office which have not been received as provided by law shall be received;

iv. Appointment of members to existing committees;

v. In an election year, to make arrangements with a view to the Council becoming eligible to exercise the general power of competence in the future.

m) At every meeting other than the annual meeting the first business shall be to appoint a Chair if the Chair and Vice-Chair be absent and to receive such declarations of acceptance of office (if any) and undertaking to

observe the Council's code of conduct as are required by law to be made or, if not received, to decide when they shall be received.

n) After the first business has been completed, the order of business shall be as determined by the Clerk and the Chair, or the Clerk and the Vice-Chair in the Chair's absence or at the Chair's request, but shall always include the following agenda items:
   i. Confirmation of the accuracy of the minutes of the last meeting of the Council.
   ii. To deal with business expressly required by statute to be done.
   iii. To receive and consider reports and minutes from the Finance and Governance Committee.
   iv. To authorise the signing of orders for payment.
   v. To deal with other items of business specifically appearing on the agenda.
   vi. To receive such communications as the person presiding may wish to lay before the Council.
   vii. To receive and consider reports and minutes of all other committees and working groups.

6. Extraordinary meetings of the Council and committees (and sub-committees)

a) The Chair of the Council may convene an extraordinary meeting of the Council at any time.

b) If the Chair of the Council does not or refuses to call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two Councillors, any two Councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting must be signed by the two Councillors.

c) The Chair of a committee [or a sub-committee] may convene an extraordinary meeting of the committee [or the sub-committee] at any time.

d) If the Chair of a committee [or a sub-committee] does not or refuses to call an extraordinary meeting within 7 days of having been requested by to do so by 2 members of the committee [or the sub-committee], any 2 members of the committee [and the sub-committee] may convene an extraordinary meeting of a committee [and a sub-committee]

7. Previous resolutions

a) A resolution shall not be reversed within six months except by a special motion, which requires written notice by at least 4 councillors to be given to the Proper Officer.

b) When a motion moved pursuant to standing order 7(a) above has been disposed of, no similar motion may be moved within a further six months.

8. Voting on appointments

a) Where more than two 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. A tie in votes may be settled by the casting vote exercisable by the Chair of the meeting.

9. Management of Information

See also standing order 17

a) The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.

b) The Council shall have in place and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this not possible the criteria used to determine that period (e.g. the Limitation Act 1980)

c) The agenda, papers that support the agenda and the minutes of a meeting shall not disclose confidential or sensitive information, however all documents will be published once they are deemed no longer sensitive.

d) Councillors and staff shall not disclose confidential or sensitive information.

10. Draft minutes

a) There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy.

b) The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the Chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.

c) Upon a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed unless Councillors resolve to keep them for a stated specific reason.

11. Code of Conduct and dispensations

a) All Councillors and non-Councillors with voting rights shall observe the code of conduct adopted by the Council.

b) Unless he has been granted a dispensation, a Councillor or non-Councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.

c) **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.

d) A decision as to whether to grant a dispensation shall be made by the Proper Officer **OR** by a meeting of the council, or committee or sub-committee for which the dispensation is required and that decision is final.

e) A dispensation request shall confirm:

i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;

ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;

iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and

iv. an explanation as to why the dispensation is sought.

f) Subject to standing orders 11(d) and (e) above, dispensations requests shall be considered [by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required] OR [at the beginning of the meeting of the Council, or committee or a sub-committee for which the dispensation is required].

g) A dispensation may be granted in accordance with standing order 11(d) 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.

12. Code of Conduct complaints

a) Upon notification by the District or Unitary Council that a Councillor or non-Councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.

13. Proper Officer

a) The Proper Officer shall be the Clerk
b) The Proper Officer shall:
   i. **At least three clear days before a meeting of the Council by email, delivery or post serve on Councillors a summons confirming the time, place and the agenda;**
   ii. **Give public notice of the time, place and agenda at least three 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);**
   iii. **Convene a meeting of Full Council for the election of a new Chair of the Council, occasioned by a casual vacancy in his office;**
   iv. **Receive and retain copies of byelaws made by other local authorities;**
   v. Retain acceptance of office forms from Councillors;
   vi. Retain a copy of every Councillor's register of interests;
   vii. assist with responding to requests made under the Freedom of Information Act 2000, Data Protection Act of 1998 and GDPR Act 2018, in accordance with and subject to the council's policies and procedures relating to the same;
   viii. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
   ix. manage the organisation, storage of, access to and destruction of information held by the Council in paper and electronic form;
   x. arrange for legal deeds to be executed;
   xi. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations;
   xii. record every planning application notified to the Council and the Council's response to the local planning authority;
   xiii. manage access to information about the Council via the publications scheme.

14. Responsible Financial Officer

a) The Clerk shall be the Responsible Financial Officer (RFO).

15. Accounts, accounting statements, financial controls and procurement

a) The Council shall consider and approve financial matters drawn up and referred to it by the Clerk/RFO.
b) Financial Regulations are annexed to these Standing Orders.

16. Requests for Information

a) 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, the Data Protection Act 1998 and GDPR Act 2018.

17. Responsibilities under Data Protection Legislation

See also standing order 9

a) The Council may appoint a Data Protection Officer (although parish councils are exempted from this requirement).
b) **The Council shall have policies and procedures in place to respond to an individual exercising rights concerning his personal data.**
c) **The Council shall have a written policy in place for responding to and managing a personal data breach**
d) **The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.**
e) **The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.**

18. Execution and sealing of legal deeds

a) A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
b) Subject to standing order 17(a) above, any two Councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.

19. Restrictions on Councillor Activities

a) Members of the Council may only act on behalf of the Council if authorised to do so by the Council, relevant committee or sub-committee.