

UCKFIELD TOWN COUNCIL



STANDING ORDERS

Issue No.	Date Agreed	Details of amendments
1	2 nd May 2006	Reissued in new format
2	25 th March 2008	General Purposes (GP.070.03.08)
3	28 th April 2008	Full Council (FC.096.04.08)
4	6 th July 2009	Full Council (FC.018.07.09)
5	10 th January 2011	Complete reissue of document at Full Council in accordance with revised NALC Model Standing Orders. (FC.049.01.11)
6	16 th May 2011	Annual Statutory Meeting – Review of SO 34.2
7	11 th November 2013	Full Council (FC.55.11.13) Comprehensive amendments following introduction of Localism Act 2011
8	7 th July 2014	Amendments to start times of meetings.
9	20 th April 2015	FC - General review and update
10	4 th July 2016	FC – General review and update
11	22 nd August 2016	FC – Minor amendment to 9.3. Plus amendments to Section 34 (Financial Matters) following update to financial regulations approved by GP Committee on 15 th August 2016.
12	30 th July 2018	Refresh in line with NALC Model Standing Orders

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STANDING ORDERS

Standing Orders set out how all committees, sub-committees and associated groups of the Council conduct their business and should be read in conjunction with the Council's

- Financial Regulations
- Code of Conduct Policy (No. 43).

Reference to the masculine gender should also be construed as a reference to the feminine gender except where the context suggests otherwise.

Reference to, 'the Mayor', should also be construed as reference to the Chairman of any committee or sub-committee, except that of Full Council.

1.0 ROLE OF STANDING ORDERS

- 1.1 The Town Clerk shall provide a copy of the Council's Standing Orders to a Councillor upon delivery of his declaration of acceptance of office.
- 1.2 The Chairman's decision as to the application of Standing Orders at meetings shall be final.
- 1.3 A Councillor's failure to observe Standing Orders more than three times in one meeting may result in him being excluded from the meeting in accordance with Standing Orders.

2.0 VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

- 2.1 Any or every part of these Standing Orders except those printed in **bold type** may be suspended by resolution in relation to any specific item of business. Standing Orders printed in **bold type** cannot be altered.
- 2.2 A resolution permanently to add, vary or revoke a Standing Order shall when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

3.0 MEETINGS

Timing and Business

- 3.1 **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.**
- 3.2(a) **Full Council - 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.**
- 3.2(b) **Committee meetings - 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 OR (*the minimum three clear days' public notice of a meeting does not include the day on which the notice was issues or the day of the meeting*)**

- 3.3 The duration of all Council committee or sub-committee meetings shall not exceed two hours, unless before this period is exceeded a proposal to suspend this Standing Order for a nominated length of maximum time receives a majority vote from those present. After this time the meeting shall be adjourned and any business not completed shall be completed at a resumed meeting to be notified by the Clerk; such resumed meeting shall be held before the next scheduled meeting. At the resumption, only the business not completed at the previous meeting shall be considered.
- 3.4 Meetings of the Council and its committees shall be held at the Uckfield Civic Centre normally from 7.00 pm on such dates as the Council may direct.

Questions by the Public

- 3.5 **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 by means of the following resolution:-**

"That in view of the special or confidential nature of the business about to be transacted, it is advisable in the public interest that the public be temporarily excluded and they are instructed to withdraw in accordance with the Public Bodies (Admission to Meetings) Act 1960".

- 3.6 Subject to Standing Order 3.5 above, members of the public are permitted to make representations, ask questions and give evidence in respect of any item of business included in the agenda.
- 3.7 The period of time which is at the Mayor's discretion shall not exceed fifteen minutes.
- 3.8 Subject to Standing Order 3.6 above, each member of the public is entitled to speak once only in respect of business itemised on the agenda and shall not speak for more than three minutes.
- 3.9 In accordance with Standing Order 3.6 above, a question asked by a member of the public during a public participation session at a meeting shall not require a response or debate.
- 3.10 In accordance with Standing Order 3.9 above, the Mayor may direct that a response to a question posed by a member of the public be referred to a Councillor for an oral response or to an employee for a written or oral response.
- 3.11 A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- 3.12 A person shall raise his hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort). The Mayor may at any time permit an individual to be seated when speaking.
- 3.13 Any person speaking at a meeting shall address his comments to the Mayor.
- 3.14 Only one person is permitted to speak at a time. If more than one person wishes to speak, the Mayor shall direct the order of speaking.

Press and public attending and reporting on meetings

- 3.15(a) **Subject to standing order 3.5, a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to the persons not present.**
- 3.15(b) **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
- 3.15(c) **Filming and recording of all Council, committee and sub-committee meetings open to the public is welcomed but restrictions do apply to protect confidential information and those individuals who do not wish to be recorded. The Town Council will provide assistance to anyone who wishes to carry out any recording in accordance with its Recording of Meetings Policy. (No. 72)**
- 3.16 **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.**

Members’ conduct at meetings

- 3.17 **Subject to Standing Orders which indicate otherwise, anything authorised or required to be done by, to or before the Mayor may in his absence be done by, to or before the Deputy Mayor.**
- 3.18 **The Mayor, if present, shall preside at a meeting. If the Mayor is absent from a meeting, the Deputy Mayor, if present, shall preside. If both the Mayor and the Deputy Mayor are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.**
- 3.19 **When a Member speaks at Full Council, and the Town Council’s standing committees (General Purposes, Environment & Leisure and Plans), they must address the meeting through the Chairman and use the microphone. If more than one Member indicates that they wish to speak, the Chairman will ask one to speak and the others must wait in the order in which they notified the Chairman of their intention to speak, unless in the case of paragraph 8.16 when a Councillor wishes to interrupt on a point of order.**
- 3.20 **Subject to Standing Order 3.26 below, all questions at a meeting shall be decided by a majority of the Councillors and non-councillors with voting rights present and voting thereon.**
- 3.21 **The Mayor 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.**
- 3.22 **Members shall vote by a show of hands or, if at least two Councillors so request, by signed ballot. 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.**

- 3.23 **The minutes of a meeting shall record the names of Councillors present.**
- 3.24(a) **The Code of Conduct adopted by the Council shall apply to Councillors in respect of the entire meeting.**
- 3.24(b) **A councillor or a non-councillor with voting rights who has a disclosable prejudicial 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.**
- 3.25 **An interest arising from the Code of Conduct adopted by the Council, the existence and nature of which is required to be disclosed by a Councillor at a meeting shall be recorded in the minutes.**
- 3.26 **Five Members or one-third of the total membership, whichever is the greater, shall constitute a quorum at meetings of the Council.**

(For a quorum relating to committees, sub-committees and other meetings, please refer to Standing Order 19.1.9)

- 3.27 **If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be adjourned.** Any outstanding business of a meeting so adjourned shall be completed at a resumed meeting to be notified by the Clerk; such resumed meeting shall be held before the next scheduled meeting. At the resumption, only the business not completed at the previous meeting shall be considered.

4.0 THE ANNUAL STATUTORY MEETING

- 4.1 **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.**
- 4.2 **In a year which is not an election year, the Annual Meeting of the Council shall be held on such day in May as the Council may direct.**
- 4.3 **The Annual Meeting of the Council shall take place at 7.00pm.**
- 4.4 **In addition to the Annual Meeting of the Council, at least five other ordinary meetings shall be held in each year on such dates and times as the Council directs.**
- 4.5 **The election of the Mayor of the Council shall be the first business completed at the Annual Meeting of the Council.**
- 4.6 **The Mayor, unless he has resigned or becomes disqualified, shall continue in office and preside at the Annual Meeting until his successor is elected at the next Annual Meeting of the Council.**
- 4.7 **The Deputy Mayor of the Council, if any, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Mayor at the next Annual Meeting of the Council.**

- 4.8 **In an election year, if the current Mayor has not been re-elected as a member of the Council, he shall preside at the meeting until a successor Mayor has been elected. The current Mayor shall not have an original vote in respect of the election of the new Mayor but must give a casting vote in the case of an equality of votes.**
- 4.9 **In an election year, if the current Mayor has been re-elected as a member of the Council, he shall preside at the meeting until a new Mayor has been elected. He may exercise an original vote in respect of the election of the Mayor and must give a casting vote in the case of an equality of votes.**
- 4.10 Following the election of the Mayor of the Council at the Annual Meeting of the Council, the order of business shall be as follows.
- 4.10.1 **To receive the Mayor's declaration of acceptance of office or, if not then received, to decide when it shall be received.**
- 4.10.2 To elect a Deputy Town Mayor.
- 4.10.3 **In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.**
(Co-option Policy No. 44)
- 4.10.4 **To decide when any declarations of acceptance of office which have not been received as provided by law shall be received.**
- 4.10.5 To appoint committees, sub-committees and other groups as necessary.
- 4.10.6 To appoint representatives to outside bodies.
- 4.10.7 To inspect any deeds and trust instruments in the custody of the Council as required.
- 4.10.8 To read and consider the minutes, provided a copy has been circulated to each Councillor not later than the day of issue of the summons to attend the meeting, the minutes may be taken as read.
- 4.10.9 **After consideration, to approve the signature of the minutes as a correct record by the person presiding.**
- 4.10.10 **Business as specified in the summons including:-**
- 4.10.11 **To deal with business expressly required by statute to be done.**
- 4.10.12 To dispose of business, if any, remaining from the last meeting.
- 4.10.13 To receive such communications as the person presiding may wish to lay before the Council.
- 4.10.14 To answer previously notified questions from Councillors.
- 4.10.15 To receive the minutes and consider reports and recommendations of committees.

- 4.10.16 To consider resolutions or recommendations in the order in which they have been notified.
- 4.10.17 To receive and consider reports from officers of the Council.
- 4.10.18 To authorise the sealing of documents.
- 4.10.19 Councillors may request an item to be placed on an agenda of the relevant committee at least seven days prior to the publication of the agenda supported by a written report. Questions do not require a seconder but the Chairman of the committee would use their discretion as to the inclusion of an item.
- 4.10.20 Any other business specified in the summons.

5.0 PROPER OFFICER

5.1 The Council's Proper Officer shall be either:

- (i) the Clerk or such other employee as may be nominated by the Council from time to time or
- (ii) such other employee appointed by the Council to undertake the role of the Proper Officer during the Proper Officer's absence.

The Proper Officer and the employee appointed to act as such during the Proper Officer's absence shall fulfil the duties assigned to the Proper Officer in Standing Orders.

5.2 The Council's Proper Officer shall do the following.

- 5.2.1 **Sign and serve on Councillors electronically if agreed, by delivery or post at their residences a signed summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee and sub-committee at least three clear days before the meeting.**
- 5.2.2 **Give public notice of the time, date, venue and agenda at least three clear days before a meeting of the Council or a meeting of a committee or a sub-committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by Councillors is signed by them).**
- 5.2.3 Subject to Standing Orders 6.1 – 6.5 below, include in the agenda all motions in the order received unless a Councillor has given written notice at least five days before the meeting confirming his withdrawal of it.
- 5.2.4 **Convene a meeting of Full Council for the election of a new Mayor of the Council, occasioned by a casual vacancy in his office, in accordance with Standing Order 5.2.1 above.**

To receive nominations for the position of Mayor and Deputy Mayor by a deadline of seven working days prior to the Annual Statutory Meeting of full Council. Any nominations put forward must include a short paragraph on why they would be suitable i.e. their background, desires etc.

If no nominations are received prior to the meeting, nominations are entitled to be put forward at the Annual Statutory meeting of Council.

If during the Municipal Year, the office of Town Mayor becomes vacant, then the Deputy Mayor will normally become Mayor for the remainder of that year.

- 5.2.5 **Make available for inspection the minutes of meetings.**
- 5.2.6 **Receive and retain copies of byelaws made by other local authorities.**
- 5.2.7 **Receive and retain declarations of acceptance of office from Councillors.**
- 5.2.8 Retain a copy of every Councillor's register of interests and any changes to it and keep copies of the same available for inspection.
- 5.2.9 Keep proper records required before and after meetings.
- 5.2.10 Process all requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council's procedures relating to the same.
- 5.2.11 Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
- 5.2.12 Manage the organisation, storage of and access to information held by the Council in paper and electronic form.
- 5.2.13 Arrange for legal deeds to be sealed using the Council's common seal.
- 5.2.14 Arrange for the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's Financial Regulations.
- 5.2.15 Record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose.
- 5.2.16 Refer any planning application received by the Council outside the normal Plans Committee cycle to the Chairman or in their absence the Vice chairman of the Plans Committee for consideration in accordance with the Council's Late Planning Applications Policy. (No. 74)
- 5.2.17 Retain custody of the seal of the Council which shall not be used without a resolution to that effect.
- 5.2.18 Action or undertake activity or responsibilities instructed by resolution or contained in Standing Orders.

6.0 MOTIONS REQUIRING WRITTEN NOTICE

- 6.1 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 Town Clerk or

the mover has given notice in writing of its terms and has delivered the notice to the Town Clerk at least seven clear days before the next meeting of the Council.

- 6.2 The Town Clerk shall date every motion on notice when received by him, shall number each notice in the order in which it was received and shall enter it in a book which shall be open to the inspection of every member of the Council.
- 6.3 The Town Clerk shall insert in the summons for every meeting, all notices of motion or recommendation properly given in the order in which they have been received unless the Councillor giving a notice of motion has stated in writing that he intends to move at some later meeting or that he withdraws it.
- 6.4 If a resolution or recommendation specified in the summons is not moved either by the Councillor who gave notice of it or by any other Councillor, it shall unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.
- 6.5 If the subject matter of the resolution comes within the province of a committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to such committee or to such other committee as the Council may determine for report; provided that the Mayor, if they consider it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.
- 6.6 Every resolution or recommendation shall be relevant to some subject over which the Council has power or duties, which affects its area.

7.0 MOTIONS NOT REQUIRING WRITTEN NOTICE

7.1 Motions in respect of the following matters may be moved without written notice.

- 7.1.1 To appoint a Chairman of the meeting.
- 7.1.2 To approve the absences of Councillors.
- 7.1.3 To approve the accuracy of the minutes of the previous meeting.
- 7.1.4 To correct an inaccuracy in the minutes of the previous meeting.
- 7.1.5 To dispose of business, if any, remaining from the last meeting.
- 7.1.6 To alter the order of business on the agenda for reasons of urgency or expedience.
- 7.1.7 To proceed to the next business on the agenda.
- 7.1.8 To close or adjourn debate.
- 7.1.9 To refer by formal delegation a matter to a committee or to a sub-committee or an employee.
- 7.1.10 To appoint a committee or sub-committee or any Councillors (including substitutes) thereto.
- 7.1.11 To receive nominations to a committee or sub-committee.
- 7.1.12 To dissolve a committee or sub-committee.

- 7.1.13 To note the minutes of a meeting of a committee or sub-committee.
- 7.1.14 To consider a report and/or recommendations made by a committee or a sub-committee or an employee.
- 7.1.15 To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
- 7.1.16 To authorise legal deeds to be sealed by the Council's common seal and witnessed.
- 7.1.17 To authorise the payment of monies in accordance with Financial Regulations.
- 7.1.18 To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
- 7.1.19 To extend the time limit for speeches.
- 7.1.20 To exclude the press and public for all or part of a meeting.
- 7.1.21 To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
- 7.1.22 To give the consent of the Council if such consent is required by Standing Orders.
- 7.1.23 **To suspend any Standing Order except those which are mandatory by law.**
- 7.1.24 To adjourn the meeting.
- 7.1.25 To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
- 7.1.26 To answer questions from Councillors.

8.0 RULES OF DEBATE

- 8.1 Motions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Chairman's direction for reasons of expedience.
- 8.2 Subject to Standing Orders 6.1 - 6.5 above, a motion shall not be considered unless it has been proposed and seconded.
- 8.3 Subject to Standing Order 5.2.3 above, a motion included in an agenda not moved by the Councillor who tabled it, may be treated as withdrawn.
- 8.4 A motion to amend an original or substantive motion shall not be considered unless proper notice has been given after the original or substantive motion has been seconded and notice of such amendment, shall, if required by the Chairman, be reduced to writing and handed to the Chairman who shall determine the order in which they are considered.

- 8.5 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.
- 8.6 Any amendment to a motion shall be either:
- 8.6.1 to leave out words;
 - 8.6.2 to add words;
 - 8.6.3 to leave out words and add other words.
- 8.7 A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration.
- 8.8 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.
- 8.9 Subject to Standing Order 8.8 above, one or more amendments may be discussed together if the Chairman considers this expedient but shall be voted upon separately.
- 8.10 Pursuant to Standing Order 8.8 above, the number of amendments to an original or substantive motion, which may be moved by a Councillor, is limited to one.
- 8.11 If an amendment is not carried, other amendments shall be moved in the order directed by the Chairman.
- 8.12 If an amendment is carried, the original motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.
- 8.13 The mover of a motion or the mover of an amendment shall have a right of reply, not exceeding three minutes.
- 8.14 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.
- 8.15 Subject to Standing Orders 8.13 and 8.14 above, a Councillor may not speak further in respect of any one motion except to speak once on an amendment moved by another Councillor or to make a point of order or to give a personal explanation.
- 8.16 During the debate of a motion, a Councillor may interrupt only on a point of order or a personal explanation and the Councillor who was interrupted shall stop speaking. A Councillor raising a point of order shall identify the Standing Order which he considers has been breached or specify the irregularity in the meeting he is concerned by.
- 8.17 A point of order shall be decided by the Chairman and his decision shall be final.
- 8.18 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.

8.19 Subject to Standing Order 8.15 above, when a Councillor's motion is under debate no other motion shall be moved except:

8.19.1 to amend the motion;

8.19.2 to proceed to the next business;

8.19.3 to adjourn the debate;

8.19.4 to put the motion to a vote;

8.19.5 to ask a person to be silent or for him to leave the meeting;

8.19.6 to refer a motion to a committee or sub-committee for consideration;

8.19.7 to exclude the public and press;

8.19.8 to adjourn the meeting;

8.19.9 to suspend any Standing Order, except those which are mandatory.

8.20 In respect of Standing Order 8.19.4 above, the Chairman shall first be satisfied that the motion has been sufficiently debated before it is seconded and put to the vote. The Chairman shall call upon the mover of the motion under debate to exercise or waive his right of reply and shall put the motion to the vote after that right has been exercised or waived.

At the end of any speech a Councillor may, without comment, move "*that the question be now put*", "*that the debate be now adjourned*" or "*that the Council do now adjourn*". If such motion is seconded, the Mayor shall put the motion but, in the case of a motion "*that the question be now put*", only if they are of the opinion that the question before the Council has been sufficiently debated. If the motion "*that the question be now put*" is carried, they shall call upon the mover to exercise or waive their right of reply and shall put the question immediately after that right has been exercised or waived. The adjournment of a debate or of the meeting shall not prejudice the mover's right of reply at the resumption.

9.0 CODE OF CONDUCT

9.1 **All Councillors shall observe the Code of Conduct adopted by the Council.**
(Policy No. 43)

9.2 All Councillors shall undertake training in the Code of Conduct within 6 months of the delivery of their declaration of acceptance of office.

9.3 **Councillors with a disclosable prejudicial (pecuniary) interest in relation to any item of business being transacted at a meeting must declare the existence and nature of that interest as soon as it becomes apparent to them unless it is a sensitive interest as previously disclosed in which case only the existence of that interest should be declared. In all cases the Councillor must leave the room and not take part in any debate or vote unless a dispensation has been authorised by the Clerk.**

9.4 An interest arising from the Code of Conduct shall be recorded in the minutes.

9.5 The Clerk, may authorise a dispensation for Councillors under the Code of Conduct, in accordance with Section 33 of the Localism Act 2011 where:-

9.5.1 without the dispensation, the number of Councillors or co-opted Councillors prohibited from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business; or

9.5.2 without the dispensation the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business; or

9.5.3 granting the dispensation is in the interests of persons living in the authority's area; or

9.5.4 it is otherwise appropriate to grant a dispensation.

9.6 A dispensation granted under Section 33 of the Localism Act 2011 must specify the period for which it has effect, and that period may not exceed four years.

10.0 ALLEGATIONS OF BREACHES OF THE CODE OF CONDUCT

10.1 On receipt of a notification that there has been an alleged breach of the Code of Conduct, the Clerk shall refer this to Wealden District Council's Monitoring Officer who will review the complaint and will make a decision as to whether it merits formal investigation.

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

11.0 QUESTIONS

11.1 A Councillor may seek an answer to a question concerning any business of the Council provided seven clear days notice of the question has been given to the Proper Officer.

11.2 Questions not related to items of business on the agenda for a meeting shall only be asked during the part of the meeting set aside for such questions.

11.3 Every question shall be put and answered without discussion.

12.0 MINUTES

12.1 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.

12.2 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 7.1.4 above.

12.3 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.

12.4 Upon a resolution which confirms the accuracy of the minutes of a meeting, any previous draft minutes of the meeting shall be destroyed.

13.0 DISORDERLY CONDUCT

13.1 No person shall obstruct the transaction of business at a meeting or behave offensively or improperly.

13.2 If, in the opinion of the Chairman, there has been a breach of Standing Order 13.1 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.

13.3 If a resolution made in accordance with Standing Order 13.2 above, is disobeyed, the Chairman may take such further steps as may reasonably be necessary to enforce it and/or he may adjourn the meeting.

14.0 RESCISSION OF PREVIOUS RESOLUTIONS

14.1 A resolution (whether affirmative or negative) of the Council shall not be reversed within six months except either by a proposal, the written notice whereof bears the names of at least five members of the Council, or by a resolution moved in pursuance of the report or recommendation of a Committee.

14.2 When a resolution moved under the provision of Standing Order 14.1 above has been disposed of, no similar motion may be moved within a further six months.

14.3 Any resolution passed by a committee reporting to Full Council may be placed on the next Full Council agenda for discussion in its own right if so requested in writing by at least five members of the Council. Once such a request has been received, further activities, clarification and information gathering excepted, shall cease on the original resolution

15.0 VOTING ON APPOINTMENTS

15.1 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. Any tie may be settled by the Chairman's casting vote.

15.2 The Mayor and Deputy Mayor should not serve longer than three complete consecutive municipal years in their respective offices.

15.3 Chairmen of committees and sub-committees should not serve as Chairmen longer than three consecutive years. Nor should any member of the Council be Chairman of more than one committee or sub-committee at any one time.

15.4 Neither shall the Mayor or Deputy Mayor be Chairman of a full committee.

16.0 EXPENDITURE

16.1 Any expenditure incurred by the Council shall be in accordance with the Council's Financial Regulations.

16.2 **The Council's Financial Regulations shall be reviewed once a year.**

16.3 **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.**

17.0 RESOLUTIONS ON EXPENDITURE

17.1 A resolution, by any committee, which would increase the expenditure upon any service which is under the management of that committee, or which would reduce the revenue at the disposal of the Council, or which would involve capital expenditure, shall be referred to the General Purposes Committee for decision.

18.0 EXECUTION AND SEALING OF LEGAL DEEDS

18.1 A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.

18.2 **In accordance with a resolution made under Standing Order 18.1 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.**

19.0 COMMITTEES AND SUB-COMMITTEES

19.1 The Council may at its Annual Statutory Meeting, appoint standing committees and may at any other time appoint such other committees as are necessary, but subject to any statutory provision in that behalf:-

19.1.1 Shall not appoint any member of a committee so as to hold office later than the next Annual Statutory Meeting.

19.1.2(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.**

19.1.2(b) **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.** Such appointed members will have no voting rights.

19.1.2(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.**

19.1.3 May, subject to the provisions of Standing Order No.14, at any time dissolve or alter the membership of a committee.

19.1.4 Every committee shall at its first meeting before proceeding to any other business, elect a Chairman and may elect a Vice-chairman who shall hold office until the next Annual Statutory Meeting of the Council.

19.1.5 In the event of the ballot failing to determine the Chairman and Vice-chairman because of an equality of votes the candidate or candidates to

be elected from those having an equal number of votes shall be determined at the first committee meeting which will be chaired by the Mayor. Any tie may then be settled by the Chairman's casting vote.

- 19.1.6 The Chairman of a committee or the Mayor of the Council may summon an additional meeting of that committee at any time. An additional meeting shall also be summoned on the requisition in writing of not less than a third of the members of the committee. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.
- 19.1.7 Each committee may appoint working groups or steering groups for purposes to be specified by the committee. Sub-committees will be appointed by Full Council.
- 19.1.8 The Chairman, or in their absence the Vice-chairman of the committee shall be members of every sub-committee reporting to it unless they signify that they do not wish to serve.
- 19.1.9 Except where ordered by the Council in the case of a committee, or by the Council or by the appropriate committee in the case of a sub-committee, the quorum of a committee or sub-committee shall be three or one-third of its members, whichever is the greater.
- 19.1.10 The Standing Orders on rules of debate, (except those parts relating to standing and speaking more than once), and the Standing Order on interests of Councillors in contracts and other matters shall apply to committees, sub-committees.

20.0 WORKING GROUPS AND STEERING GROUPS

- 20.1 Any committee may create working or steering groups, whose name and number of members and the bodies to be invited to nominate members shall be specified.
- 20.2 The working and steering groups will conduct their business in accordance with Working Group Policy No. 39 and Steering Group Policy No. 57.
- 20.3 Working and steering groups may make recommendations and give notice thereof to the parent committee.
- 20.4 Working and steering groups may consist wholly of persons who are not members of the Council.

21.0 EXTRAORDINARY MEETINGS

- 21.1 **The Mayor of the Council may convene an extraordinary meeting of the Council at any time.**
- 21.2 **If the Mayor of the Council does not or refuses to call an extraordinary meeting of the Council within seven days of having been requested to do so by two Councillors, those two Councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two Councillors.**

22.0 ACCOUNTS AND FINANCIAL STATEMENT

22.1 All payments by the Council shall be authorised, approved and paid in accordance with the Council's Financial Regulations.

22.1 **The statement of accounts of the Council, which is subject to external audit, shall be presented to the Council for formal approval.**

23.0 ESTIMATES AND PRECEPTS

23.1 **The Council shall review the estimates not later than the end of January each year and shall fix the precept to be levied for the ensuing financial year. The Responsible Financial Officer shall supply each Councillor with a copy of the approved estimates.**

23.2 Any committee desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year no later than the end of November each year.

23.3 The annual capital and revenue expenditures shall form the Council's budgets and the basis of financial control for the ensuing year.

24.0 INTERESTS

24.1 **If a Councillor has a personal interest as defined by the Code of Conduct (Policy No. 43) then they shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required which shall be recorded in the minutes of the meeting.**

24.2 **If a Councillor who has declared a personal interest then considers the interest to be a disclosable interest, they must withdraw from the room during consideration of the item to which the interest relates unless a dispensation has been authorised by the Clerk in advance of the meeting.**

24.3 **The Clerk may be required to compile and hold a register of Councillors' interests in accordance with any agreement with the Monitoring Officer of Wealden District Council and/or as required by statute.**

24.4 If a candidate for any appointment under the Council is to their knowledge related to any Councillor or the holder of any office under the Council, they and the person to whom they are related shall disclose the relationship in writing to the Clerk. A candidate who fails so to do, shall be disqualified for such appointment, and, if appointed, may be dismissed without notice. The Clerk shall report to the Council or to the appropriate committee any such disclosure. Where relationship to a Councillor is disclosed, Standing Orders No. 24.1 and 24.2 shall apply. The Clerk shall make known the significance of this Standing Order to every candidate.

25.0 CANVASSING OF AND RECOMMENDATIONS BY COUNCILLORS

25.1 Canvassing Councillors or the members of a committee or sub-committee, directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such an appointment. The Clerk shall disclose the requirements of this Standing Order to every candidate.

25.2 A Councillor or a member of a committee or sub-committee shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for promotion; however any such person may give a written

testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.

- 25.3 This Standing Order shall apply to tenders as if the person making the tender were a candidate for an appointment.

26.0 INSPECTION OF DOCUMENTS

- 26.1 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 or a sub-committee, and request a copy for the same purpose. The minutes of meetings of the Council, its committees or sub-committees shall be available for inspection by Councillors.

27.0 UNAUTHORISED ACTIVITIES

- 27.1 Unless specifically authorised to do so by the Council or relevant committee or sub-committee by a resolution, no individual Councillor shall in the name or on behalf of the Council, a committee or a sub-committee:

27.1.1 inspect any lands or premises which the Council has a right or duty to inspect;

27.1.2 issue orders, instructions or directions

28.0 CONFIDENTIAL BUSINESS

- 28.1 **No member of the Council or of any committee, sub-committee, working or steering group shall disclose to any person not a member of the Council any business declared to be confidential by the Council, the committee, sub-committee, working or steering group as the case may be.**

- 28.2 **Any Councillor in breach of the provisions of paragraph 28.1 of this Standing Order shall be removed from any committee, sub-committee, working or steering group of the Council by the Council and reported to the Standards Committee.**

29.0 GENERAL POWER OF COMPETENCE

- 29.1 **Before exercising the General Power of Competence, a meeting of the Full Council shall have passed a resolution to confirm that it has satisfied the prescribed statutory criteria required to qualify as an eligible Council. The prescribed statutory criteria are:-**

29.1.1 **the number of ordinary members of the Council that have been declared to be elected, whether at ordinary elections or at a by-election, is equal or greater than two-thirds of the total number of members of the Council;**

29.1.2 **the Clerk to the Town Council holds an appropriate qualification;**

and

29.1.3 **the Clerk to the Town Council has completed the relevant training, unless such training was required for the purpose of obtaining a qualification of a description mentioned in paragraph 29.1.2.**

30.0 MATTERS AFFECTING COUNCIL EMPLOYEES

- 30.1 If a meeting considers any matter personal to a Council employee, it shall not be considered until the Council, committee or sub-committee, (as the case may be), has decided whether or not the press and public shall be excluded pursuant to Standing Order 3.5 above.
- 30.2 Any persons responsible for all or part of the management of Council employees shall keep written records of all meetings relating to their performance, and capabilities, grievance and disciplinary matters.
- 30.3 The Council shall keep written records relating to employees secure. All paper records shall be secured under lock and electronic records shall be password protected.
- 30.4 Records documenting reasons for an employee's absence due to ill health or details of a medical condition shall be made available only to those persons with responsibility for the same.
- 30.5 Only persons with line management responsibilities shall have access to employee records referred to in Standing Orders 30.3 and 30.4 above if so justified.
- 30.6 Access and means of access by keys and/or computer passwords to records of employment referred to in Standing Orders 30.3 and 30.4 above shall be provided only to The Town Clerk, Responsible Financial Officer and Civic Centre Manager.

31.0 HANDLING REQUESTS FOR INFORMATION

- 31.1 **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme (policy no. 54) and respond to requests for information held by the Council as per the Council's policy 'Handling Access to Information' requests (Policy No. 16)**
- 31.2 **The Council shall publish information in accordance with the requirements of the Local Government (Transparency Requirements)(England) Regulations 2015.**

32.0 RELATIONS WITH THE PRESS AND MEDIA

- 32.1 All requests from the press or other media for an oral or written statement or comment from the Council shall be processed in accordance with the Council's policy in respect of dealing with the press and/or other media. (Policy No 26)

33.0 LIAISON WITH DISTRICT AND COUNTY COUNCILLORS

- 33.1 An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the Councillors of the District and County Council representing their electoral wards.
- 33.2 When requested, letters ordered to be sent to the County or District Council shall be transmitted to the County Councillors for the division or to the District Councillors for the ward as the case may be.

34.0 FINANCIAL MATTERS

34.1 The Council shall consider and approve Financial Regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:

34.1.1 the accounting records and systems of internal control;

34.1.2 the assessment and management of financial risks faced by the Council;

34.1.3 the work of the internal auditor and the receipt of regular reports from the internal auditor, which shall be required at least annually;

34.1.4 the inspection and copying by Councillors and local electors of the Council's accounts and/or orders of payments;

34.1.5 procurement policies (subject to Standing Order 34.2 below) including the setting of values for different procedures.

34.2 **For any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value between £10,000 but not exceeding £25,000, the Town Clerk shall invite quotations from at least three appropriate firms from a preferred list of contractors as set out in the Financial Regulations.**

34.3 **For expenditure which is valued in excess of £25,000 but less than the relevant thresholds in 34.0 (financial regulations) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity. ,**

34.4 **Where the value of a contract is in excess of £181,302 (which may change from time to time) for a public service or supply contract or in excess of £4,551,413 for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.**

34.5 **A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract, or £820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.**

35.0 TRAINING

35.1 All Councillors appointed to the Council will attend appropriate training courses.

35.2 Chairmen shall be expected to undertake appropriate training courses.

36.0 URGENT BUSINESS

36.1 If a matter is deemed “urgent” and if outside scheduled committee meetings or Full Council and with the consent of the Mayor and Chairman of committee, it can be agreed by the use of an Urgent Consultation Panel. The Panel will consist of the Mayor, the Deputy Mayor and Chairmen of committees. All decisions agreed by the panel will be reported to Full Council or the appropriate standing committee at the earliest opportunity.

37.0 MANAGEMENT OF INFORMATION

37.1 See also standing order 31.0

The Council shall have in place and keep under review, technical and organizational 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.

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

37.3 **The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.**

37.4 **Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.**

38.0 RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

38.1 **The Council shall appoint a Data Protection Officer.**

38.2 **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.**

38.3 **The Council shall have a written policy in place for responding to and managing a personal data breach.**

38.4 **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.**

38.5 **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.**

38.6 **The Council shall maintain a written record of its processing activities.**