

# HART PARISH COUNCIL

## STANDING ORDERS

### 1 Meetings

- a **Meetings shall normally take place at the Village Hall, Hart. Should the village hall not be available, then meetings shall not take place in premises, which at the time of the meeting, are used for the supply of alcohol unless no other premises are available free of charge or at a reasonable cost.**
- b **When calculating the 3 clear days for notice of a meeting to councillors and the public, the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning shall not count.**
- c **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- d Subject to standing order 1(c) above, 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 In accordance with standing order 1(d) 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.
- f In accordance with standing order 1(e) above, the Chairman may direct that a response to a question posed by a member of the public be referred to a Councillor for a written or oral response.
- g A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- h Any person speaking at a meeting shall address her/his comments to the Chairman.
- i Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chairman shall direct the order of speaking.
- j **The press and public have the right to film, photograph or make an audio record of the meeting, provided only that no live commentary may be made on the proceedings being recorded.**
- k In accordance with standing order 1(c) above, the press shall be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.
- l Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman may in his absence be done by, to or before the Vice-Chairman (if any).
- m The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a Councillor, as chosen by the Councillors present at the meeting, shall preside at the meeting.
- n Subject to standing order 1 (v) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.

- o The Chairman may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not s/he gave an original vote.
- p Unless standing orders provide otherwise, voting on any 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.
- q The minutes of a meeting shall record the names of councillors present and absent.
- r If prior to a meeting, a Councillor has submitted reasons for his/her absence at the meeting which is then approved by a resolution, such resolution shall be recorded in the minutes of the meeting at which the approval was given.
- s The code of conduct adopted by the Council shall apply to councillors in respect of the entire meeting.
- t An interest arising from the code of conduct adopted by the Council, the existence and nature of which is required to be disclosed by a Councillor at a meeting shall be recorded in the minutes.
- 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 3.
- v If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be adjourned. Any outstanding business of a meeting so adjourned shall be transacted at a following meeting.
- w Meetings shall not normally exceed a period of 2 hours.

## **2 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 7.00 pm.**
- 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. The election of the Chairman and Vice-Chairman (if any) of the Council shall be the first business completed at the annual meeting of the Council.**
- f. The Chairman of the Council, unless s/he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until a successor is elected.**
- g. The Vice-Chairman of the Council, if any, unless s/he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.**
- h. In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, 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.**

- i. **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.**
- j. Following the election of the Chairman of the Council and Vice-Chairman (if any) of the Council at the annual meeting of the Council, the order of business shall be as follows:
  - i. In an election year, delivery by councillors of their declarations of acceptance of office.
  - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council and to receive and note minutes of and/or to determine recommendations made by committees.

And, if appropriate, any or all of the following:

  - iii. Review of delegation arrangements to committees and the unitary authority.
  - iv. Review of the terms of references for committees.
  - v. Receipt of nominations to existing committees.
  - vi. Appointment of any new committees, confirmation of the terms of reference, the number of members (including, if appropriate, substitute councillors) and receipt of nominations to them.
  - vii. Review and adoption of appropriate standing orders and financial regulations.
  - viii. Review of arrangements, including any charters, with other local authorities and review of contributions made to expenditure incurred by other local authorities.
  - ix. Review of representation on or work with external bodies and arrangements for reporting back.
  - x. In a year of elections, if a Council's period of eligibility to exercise the power of well-being expired the day before the annual meeting, to review and make arrangements to reaffirm eligibility.
  - xi. Review of inventory of land and assets including buildings and office equipment.
  - xii. Review and confirmation of arrangements for insurance cover in respect of all insured risks.
  - xiii. Review of the Council's memberships of other bodies.
  - xiv. Establishing or reviewing the Council's complaints procedure.
  - xv. Establishing or reviewing the Council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998.
  - xvi. Setting the dates, times and place of ordinary meetings of the full Council for the year ahead.

### 3 Proper Officer

- a. The Council's Proper Officer shall be the Clerk. The Clerk shall fulfil the duties assigned to the Proper Officer in standing orders.
- b. The Council's Proper Officer shall do the following:
  - i **Sign and serve on councillors by delivery, post or e-mail at their residences a summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee at least 3 clear days before the meeting.**
  - ii **Give public notice of the time, date, venue and agenda at least 3 clear days before a meeting of the Council or a meeting of a committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**
  - iii **Convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office, in accordance with standing order [3(b)i] above.**

- iv Make available for inspection the minutes of meetings.
- v **Receive and retain copies of bye-laws made by other local authorities.**
- vi Retain a copy of every councillor's register of interests and any changes to it and keep copies of the same available for inspection.
- vii Keep proper records required before and after meetings;
- viii Process all requests made under the Freedom of Information Act 2000 and Data Protection Act
- ix Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
- x Manage the organisation, storage of and access to information held by the Council in paper and electronic form.
- xi Arrange for legal deeds to be signed by 2 councillors and witnessed (*See also standing orders 14(a) and (b).*)
- xii 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.
- xiii Convene a meeting of the Council within 2 working days of receipt of a planning application *if* the nature of a planning application requires consideration before the next ordinary meeting of the Council.
- xiv Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.

#### **4 Motions for a meeting that require written notice to be given to the Clerk**

- a. A motion shall relate to the responsibilities of the meeting which it is tabled for and in any event shall relate to the performance of the council's statutory functions, powers and obligations or an issue which specifically affects the council's area or its residents.
- b. No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least 5 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c. The Proper Officer may, before including a motion on the agenda received in accordance with standing order 4(b) above, correct obvious grammatical or typographical errors in the wording of the motion.
- d. If the Proper Officer considers the wording of a motion received in accordance with standing order 4(b) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer so that it can be understood at least 5 clear days before the meeting.
- e. If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chairman of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- f. Subject to standing order 4(e) above, the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.

#### **5 Motions not requiring written notice**

- a. Motions in respect of the following matters may be moved without written notice:
  - i To appoint a person to preside at a meeting.
  - ii To approve the absences of councillors.

- iii** To approve the accuracy of the minutes of the previous meeting.
- iv** To correct an inaccuracy in the minutes of the previous meeting.
- v** To dispose of business, if any, remaining from the last meeting.
- vi** To alter the order of business on the agenda for reasons of urgency or expedience.
- vii** To proceed to the next business on the agenda.
- viii** To close or adjourn debate.
- ix** To refer by formal delegation a matter to a committee or the Clerk.
- x** To appoint a committee or any councillors (including substitutes) thereto.
- xi** To receive nominations to a committee.
- xii** To dissolve a committee.
- xiii** To note the minutes of a meeting of a committee.
- xiv** To consider a report and/or recommendations made by a committee or the Clerk.
- xv** To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
- xvi** To authorise legal deeds signed by two councillors and witnessed. *See standing orders 15(a) and (b) below.*
- xvii** To amend a motion relevant to the original or substantive motion under consideration, which shall not have the effect of nullifying it.
- xviii** To exclude the press and public for all or part of a meeting.
- xix** To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
- xx** To give the consent of the Council if such consent is required by standing orders.
- xxi** **To suspend any standing order except those which are mandatory by law.**
- xxii** To adjourn the meeting.
- xxiii To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
- xxiv To answer questions from councillors.

- b. If a motion falls within the terms of reference of a committee or within the delegated powers conferred on the Clerk, a referral of the same may be made to such committee or the Clerk provided that the Chairman may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

## 6 Rules of debate

- a Motions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Chairman's direction for reasons of expedience.
- b Subject to standing orders 4(a)–(b) above, a motion shall not be considered unless it has been proposed and seconded.
- c Subject to standing order 3(b)(iii) above, a motion included in an agenda not moved by the councillor who tabled it, may be treated as withdrawn.
- d A motion to amend an original or substantive motion shall not be considered unless proper notice has been given after the original or substantive motion has been seconded and notice of such amendment, shall, if required by the Chairman, be reduced to writing and handed to the Chairman who shall determine the order in which they are considered.
- e A Councillor may move amendments to his/her own motion. If a motion has already been seconded, an amendment to it shall be with the consent of the seconder.
- f Any amendment to a motion shall be either:
  - ito leave out words;

- ii to add words;
  - iii to leave out words and add other words.
- g A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration.
- h Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman. No further amendment to a motion shall be moved until the previous amendment has been disposed of.
- i Subject to Standing Order 6(h) above, one or more amendments may be discussed together if the Chairman considers this expedient but shall be voted upon separately.
- j Pursuant to standing order 6(h) above, the number of amendments to an original or substantive motion, which may be moved by a councillor, is limited to one.
- k If an amendment is not carried, other amendments shall be moved in the order directed by the Chairman.
- l If an amendment is carried, the original motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.
- m The mover of a motion or the mover of an amendment shall have a right of reply, not exceeding 2 minutes.
- n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply in respect of the substantive motion at the very end of debate and immediately before it is put to the vote.
- o Subject to standing orders 6(m) and (n) above, a councillor may not speak further in respect of any one motion except to speak once on an amendment moved by another councillor or to make a point of order or to give a personal explanation.
- p During the debate of a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A Councillor raising a point of order shall identify the standing order which 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 and his decision shall be final.
- r With the consent of the seconder and/or of the meeting, a motion or amendment may be withdrawn by the proposer. A councillor shall not speak upon the said motion or amendment unless permission for the withdrawal of the motion or amendment has been refused.
- s Subject to standing order 6(o) above, when a councillor's motion is under debate no other motion shall be moved except:
  - i to amend the motion;
  - ii to proceed to the next business;
  - iii to adjourn the debate;
  - iv to put the motion to a vote;
  - v to ask a person to be silent or for him to leave the meeting;
  - vi to refer a motion to a committee or sub-committee for consideration;
  - vii to exclude the public and press;
  - viii to adjourn the meeting;

ix to suspend any standing order, except those which are mandatory.

- t. In respect of standing order 6(s)(iv) above, the Chairman shall first be satisfied that the motion has been sufficiently debated before it is seconded and put to the vote. The Chairman shall call upon the mover of the motion under debate to exercise or waive his/her right of reply and shall put the motion to the vote after that right has been exercised or waived. The adjournment of a debate or of the meeting shall not prejudice the mover's right of reply at the resumption.

## **7 Code of conduct**

- a All councillors shall observe the code of conduct adopted by the Council (March 2013).**
- b Unless s/he has been granted a dispensation, a councillor shall withdraw from a meeting when it is considering a matter in which s/he has a disclosable pecuniary interest. S/he may return to the meeting after it has considered the matter in which s/he had the interest.**
- c Unless s/he has been granted a dispensation, a councillor shall withdraw from a meeting when it is considering a matter in which s/he has another interest if so required by the council's code of conduct. S/he may return to the meeting after it has considered the matter in which s/he had the interest.**

## **8 Questions**

- a A councillor may seek an answer to a question concerning any business of the Council provided 7 clear days' notice of the question has been given to the Clerk.
- b Questions not related to items of business on the agenda for a meeting shall only be asked during the part of the meeting set aside for such questions.
- c Every question shall be put and answered without discussion.

## **9 Handling confidential or sensitive information**

- a The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential or sensitive information which for special reasons would not be in the public interest.

## **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 5(a)(iv) above.
- c** Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the Chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d** If the Chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, 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 shall be destroyed.

## **11 Disorderly conduct**

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly.
- b If, in the opinion of the Chairman, there has been a breach of standing order 10(a) above, the Chairman shall express that opinion and thereafter any councillor (including the Chairman) may move that the person be silenced or excluded from the meeting, and the motion, if seconded, shall be put forthwith, and without discussion.
- c If a resolution made in accordance with standing order 10(b) above, is disobeyed, the Chairman may take such further steps as may reasonably be necessary to enforce it and/or s/he may adjourn the meeting.

## **12 Previous resolutions**

- a A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least 5 councillors to be given to the Proper Officer in accordance with standing order 9 below, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
- 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.

## **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 14(a) above, any two members of the Council, may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.**

## **16 Committees**

- a The Council may, at its annual meeting, appoint standing committees and may at any other time appoint such other committees as may be necessary, and:
  - i shall determine their terms of reference;
  - ii may permit committees to determine the dates of their meetings;
  - iii shall appoint and determine the term of office of councillor or non-councillor members of such a committee (unless the appointment of non-councillors is prohibited by law) so as to hold office no later than the next annual meeting;
  - iv may in accordance with standing orders, dissolve a committee at any time.

## **17 Extraordinary meetings**

- a The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
- b If the Chairman of the Council does not or refuses to call an extraordinary meeting of the Council within 7 days of having been requested to do so by two councillors, those two councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two councillors.**
- c The Chairman of a committee may convene an extraordinary meeting of the committee at any time.
- d If the Chairman of a committee does not or refuses to call an extraordinary meeting within 7 days of having been requested by to do so by 2 councillors, those 2 councillors may convene an extraordinary meeting of a committee. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by 2 councillors.

## **18 Advisory committees**

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

## **19 Accounts and Financial Statement**

- a All payments by the Council shall be authorised, approved and paid in accordance with the Council's financial regulations, which shall be reviewed at least annually.
- b The Responsible Financial Officer shall supply to each councillor as soon as practicable after 31 March, 30 June, 30 September and 31 December in each year a statement summarising the Council's receipts and payments for each quarter and the balances held at the end of a quarter. This statement should include a comparison with the budget for the financial year. A Financial Statement prepared on the appropriate accounting basis (receipts and payments, or income and expenditure) for a year to 31 March shall be presented to each councillor before the end of the following month of May. The Statement of Accounts of the Council (which is subject to external audit), including the annual governance statement, shall be presented to Council for formal approval before 30 June.

## **20 Estimates/precepts**

- a **The Council shall approve written estimates for the coming financial year** at its meeting before the end of January.
- b Any committee desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year no later than December.

## **21 Canvassing of and recommendations by councillors**

- a Canvassing councillors or the members of a committee, directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such an appointment. The Proper Officer shall disclose the requirements of this standing order to every candidate.
- b A councillor or a member of a committee shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for promotion; but, nevertheless, any such person may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- c This standing order shall apply to tenders as if the person making the tender were a candidate for an appointment.

## **22 Inspection of documents**

- a Subject to standing orders to the contrary or in respect of matters which are confidential, a councillor may, for the purpose of his/her official duties (but not otherwise), inspect any document in the possession of the Council or a committee, and request a copy for the same purpose. The minutes of meetings of the Council or its committees shall be available for inspection by councillors.

## **23 Unauthorised activities**

- a Unless authorised by a resolution, 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; or
  - ii issue orders, instructions or directions.

## **24 Confidential business**

- a Councillors shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature.
- b A councillor in breach of the provisions of standing order 24(a) above may be removed from a committee by a resolution of the Council.

## **25 General Power of Competence**

To be eligible to use the General Power of Competence, parish councils must meet the following conditions:

- a The council has resolved at a meeting of the council and each subsequent relevant annual meeting that it meets the conditions in paragraph 2 below.

- b At the time a resolution under paragraph (a) is passed–
  - (i) the number of members of the council that have been declared to be elected, whether at ordinary elections or at a by-election, is equal to or greater than two-thirds of the total number of members of the council;
  - (ii) the Clerk to the parish council holds:
    - (A) the Certificate in Local Council Administration;
    - (B) the Certificate of Higher Education in Local Policy;
    - (C) the Certificate of Higher Education in Local Council Administration; or
    - (D) the first level of the foundation degree in Community Engagement and Governance awarded by the University of Gloucestershire or its successor qualifications; and
  - (iii) the Clerk to the parish council has completed the relevant training, unless such training was required for the purpose of obtaining a certificate of a description mentioned in paragraph (ii).

For the purposes of this paragraph “relevant training” means training:

- (a) in the exercise of the general power;
  - (b) provided in accordance with the national training strategy for parish councils adopted by the National Association of Local Councils and Commission for Rural Communities, as revised from time to time.
- c If the parish council resolves that that it meets the prescribed conditions, it shall be an eligible parish council for the duration of the eligibility period, ie it shall be eligible to use the General Power from the time that the resolution is passed until the day of the next annual meeting of that parish council (held after the resolution is passed) that takes place in a year of ordinary elections (the ‘relevant annual meeting’).
  - d If, at the relevant annual meeting, the parish council does not pass a (further) resolution that it meets these eligibility criteria, it ceases to be an eligible parish council, but a transitional provision specifies that the council shall continue to be an eligible parish council for the purpose of completing any activity undertaken in the exercise of the general power but not completed before of the day of that meeting.

## **26 Freedom of Information Act 2000**

- a All requests for information held by the Council shall be processed in accordance with the Council’s policy in respect of handling requests under the Freedom of Information Act 2000.
- b Correspondence from, and notices served by, the Information Commissioner shall be referred by the Clerk to the chairman of the Parish Council. The said chairman shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000 including exercising the powers of the Proper Officer in respect of Freedom of Information requests set out under Standing Order 3(b)(x) above.

## 27 Liaison with Unitary Councillors

- a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the councillor(s) of the Unitary Council representing its electoral ward.
- b Unless the Council otherwise orders, a copy of each relevant letter sent to the Unitary Council shall be sent to the Unitary Council councillor(s) representing its electoral ward.

## 28 Financial Matters

- a The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
  - i the accounting records and systems of internal control;
  - ii the assessment and management of financial risks faced by the Council;
  - iii the work of the Internal Auditor and the receipt of regular reports from the Internal Auditor, which shall be required at least annually;
  - iv the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments;
  - v procurement policies (subject to standing order 27(b) below) including the setting of values for different procedures where the contract has an estimated value of less than £60,000.
- b Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £1,000 shall be procured on the basis of a formal tender.**
- c Any formal tender process shall comprise the following steps:
  - i a specification of the goods, materials, services and the execution of works shall be drawn up;
  - ii tenders are to be sent, in a sealed marked envelope, to the Clerk by a stated date and time;
  - iii tenders submitted are to be opened, after the stated closing date and time, by the Clerk and at least one member of the Council;
  - iv tenders are then to be assessed and reported to the appropriate meeting of Council.
- d The Council is not bound to accept the lowest tender, estimate or quote.

## 29 Allegations of breaches of the code of conduct

- a On receipt of a notification that there has been an alleged breach of the code of conduct the Clerk shall refer it to a committee known as the Conduct committee. This committee shall normally comprise the Chairman, Vice Chairman and a person of good standing in the community (such as the local vicar); should either councillor be the subject of the alleged breach, then another councillor shall take their place.
- b Where the notification relates to a complaint made by the Clerk, the Clerk shall notify the Chairman of the Conduct committee of that fact, who, upon receipt of such notification, shall nominate a person to assume the duties of the Clerk set out in the remainder of this standing order, who shall continue to act in respect of that matter as such until the complaint is resolved.
- c The subject matter of notifications shall be confidential and, insofar as it is possible to do so by law, the Council (including the Clerk and the Chairman of the Conduct committee) shall take the steps set out below, together with other steps considered necessary, to maintain confidentiality.
  - i Draft the summonses and agendas in such a way that the identity and subject matter of the complaint are not disclosed.
  - ii Ensure that any background papers containing the information set out in standing order 28(a) above are not made public.

- iii Ensure that the public and press are excluded from meetings as appropriate.
  - iv Ensure that the minutes of meetings preserve confidentiality.
  - v Consider any liaison that may be required with the person or body with statutory responsibility for the investigation of the matter.
- d Standing order 28(c) above should not be taken to prohibit the Council (whether through the Clerk or the Chairman of the Conduct committee or otherwise) from disclosing information to members and officers of the Council or to other persons where such disclosure is necessary to deal with the complaint or is required by law.
- e The Conduct committee shall have the power to:
  - i. seek documentary and other evidence from the person or body with statutory responsibility for investigation of the matter;
  - ii. seek and share information relevant to the complaint;
  - iii. grant the member involved a financial indemnity in respect of legal costs, which shall be in accordance with the law and subject to approval by a meeting of the full Council.
- f References in standing order 28 to a notification shall be taken to refer to a communication of any kind which relates to a breach or an alleged breach of the code of conduct by a councillor.

### **30 Variation, revocation and suspension of standing orders**

- a Any or every part of the standing orders, except those which are mandatory by law, may be suspended by resolution in relation to any specific item of business.
- b A motion to add to or vary or revoke one or more of the Council's standing orders, not mandatory by law, shall be proposed by a special motion, the written notice whereof bears the names of at least 2 councillors.

### **31 Standing orders to be given to councillors**

- a The Clerk 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 application of standing orders at meetings shall be final.
- c A councillor's failure to observe standing orders more than 3 times in one meeting may result in her/him being excluded from the meeting in accordance with standing orders.