

Cyngor Tref Cydweli
Kidwelly Town Council

Standing
Orders

The standing orders in **BOLD TYPE** and *ITALICS* should not be ignored or substantively amended unless the legislation out of which they are born changes.

The Council shall be known as **CYNGOR TREF CYDWELI / KIDWELLY TOWN COUNCIL**
And the meeting place shall be Council Offices, Hillfield Villas, unless otherwise agreed upon. The meeting place shall be fully accessible to all members of the Council and Public. If this is not possible and no other suitable venue be available the meeting shall be adjourned.

The Council shall constitute 16 Councillors including

- Town Mayor
- Deputy Town Mayor

Meetings of the Council shall be held as follows unless the Council decides otherwise at a previous meeting: First Tuesday of every Month shall be Full Council. This will be followed by the Policy & Strategy Committee. On the second Tuesday of each month the Estates and Finance Committees will be held. Establishment Committee shall be held as and when the Proper Officer and/or Mayor deem necessary.

STANDING ORDER 1 - MEETINGS:

- 1.1** *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.*
- 1.2** *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.*
- 1.3** *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*
- 1.4** Subject to standing order 1.3 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. This must be requested by noon on the day of the meeting.
- 1.5** The public shall be allowed a maximum of a Five Minute slot to make representations on any agenda item. Presentations must be pre-arranged with permission from the Town Clerk.
- 1.6** The period of time which is at the Mayor's discretion OR participation in accordance with standing order 1.4 above shall not exceed two minutes each.
- 1.7** Subject to standing order 1.5 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 TWO minutes. In accordance with standing order 1.4 above a question asked by a member of the public may be directed/referred by the Mayor/chair to an Officer of the Council or Councillor for a written or oral response.
- 1.8** A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- 1.9** Members of the Public & Councillors shall raise their hand when requesting to speak and when speaking, shall stand (except when a person has a disability or is likely to suffer discomfort) when speaking at FULL COUNCIL MEETINGS. At all other meetings a person may remain seated when speaking.

- 1.10** Any person speaking at a meeting shall address his comments to the Mayor/Chair of that committee.
- 1.11** Only one person is permitted to speak at a time. If more than one person wishes to speak, the Mayor / Chair shall direct the order of speaking.
- 1.12** *Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's prior (written) consent.*
- 1.13** *In accordance with standing order 1.3 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.*
- 1.14** *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.*
- 1.15** *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.*
- 1.16** *All questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.*
- 1.17** *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.*
- 1.18** *The minutes of a meeting shall record the names of Councillors present.* Councillors present will determine to accept apologies from those unable to attend, dependent on reasons given. This will be recorded as 'Apology accepted' or Apology declined. The names of Councillors not present who have not given apologies will be recorded.
- 1.19** *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.
- 1.20** *The code of conduct adopted by the Council shall apply to councillors in respect of the entire meeting.*

- 1.21** *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. (See also standing orders 7 and 8 below.)*
- 1.22** *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 6.*
- 1.23** *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.*
- 1.24** *All Council meetings will start at 6.30pm prompt. Where two meetings occur in one evening, the meeting shall close by 9.00pm. It is the Chair's responsibility to ensure good time management of a meeting. There will be a 5 minute comfort break between meetings. A meeting can only ever over run by consent of the Council.*

STANDING ORDER 2 – ORDINARY COUNCIL MEETINGS:

- 2.1** *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.*
- 2.2** *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.*
- 2.3** *The day and time of the Annual meeting shall be decided on by Full Council.*
- 2.4** *In addition to the annual meeting of the Council, other ordinary meetings may be held in each year on such dates and times as the Council may direct.*
- 2.5** *The nominations for the Mayor of the Council shall be in February of each year, and voted on in March the Successor will be known thereafter as the Mayor Elect.*
The Town Mayor shall appoint a Councillor of the Town to be Deputy Town Mayor and this Councillor will be named at the Annual General Meeting of the Council held in May of each year.
- 2.6** *The Mayor 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.*
- 2.7** *The Deputy Mayor of the Council, unless he resigns or becomes disqualified, shall*

hold office until immediately after the election of the Mayor of the Council at the next annual meeting of the Council.

- 2.8** *In an election year, if the current Mayor of the Council has not been re-elected as a member of the Council, he shall preside at the meeting until a successor Mayor of the Council has been elected. The current Mayor of the Council shall not have an original vote in respect of the election of the new Mayor of the Council but must give a casting vote in the case of an equality of votes.*
- 2.9** Following the election of the Mayor of the Council and appointment of the Deputy Mayor of the Council at the annual meeting of the Council, the meeting will then be adjourned until the next Full Council Meeting where the order of business shall be as follows:-
- 2.9.1** In an election year, delivery by councillors of their declarations of acceptance of office.
- 2.9.2** 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.
- 2.9.3** Election of Chairs and Deputies for committee

STANDING ORDER 3 - PROPER OFFICER

- 3** *The Council's Proper Officer shall be the clerk or 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.*

The Council's Proper Officer shall do the following:-

- 3.1** *Sign and serve on councillors by delivery or post at their residences a summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee at least 3 clear days before the meeting.*
- 3.2** *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 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).*

- 3.3** Subject to standing orders 4.1- 4.5 below, include in the agenda all motions in the order received unless a councillor has given written notice at least 5 days before the meeting confirming his withdrawal of it.
- 3.4** *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 3.1 OR 3.2 above.*
- 3.5** Make available for inspection the minutes of meetings.
- 3.6** *Receive and retain copies of byelaws made by other local authorities.*
- 3.7** *Receive and retain declarations of acceptance of office from councillors.*
- 3.8** Retain a copy of every councillor's register of interests and any changes to it and keep copies of the same available for inspection.
- 3.9** Keep proper records required before and after meetings.
- 3.10** 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.
- 3.11** Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
- 3.12** Manage the organisation, storage of and access to information held by the Council in paper and electronic form.
- 3.13** Arrange for legal deeds to be sealed using the Council's Common Seal and witnessed.
- 3.14** 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.
- 3.15** Record every planning application notified to the Council and the Council's response to the local planning authority.
- 3.16** Retain custody of the seal of the Council which shall not be used without a resolution to that effect.
- 3.17** Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.

STANDING ORDER 4 - MOTIONS REQUIRING WRITTEN NOTICE

- 4.1** In accordance with standing order 3.3 above, no motion may be moved at a meeting

unless it is included in the agenda.

- 4.2** The Proper Officer may, before including a motion in the agenda received in accordance with standing order 4.1 above, correct obvious grammatical or typographical errors in the wording of the motion.
- 4.3** If the Proper Officer considers the wording of a written motion received in accordance with standing order 4.1 above is not clear in meaning, the motion shall be rejected until the mover of the motion clarifies in writing to the Proper Officer in clear and certain language at least 5 clear days before the meeting.
- 4.4** If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Mayor/Chair of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to whether the motion shall be included or rejected.
- 4.5** Having consulted the Mayor or councillors pursuant to standing order 4(d) above, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.
- 4.6** Notice of every motion received in accordance with the Council's standing orders shall be numbered in the order received and shall be entered in a book, which shall be open to inspection by all councillors.
- 4.7** Every motion and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area or its residents.

STANDING ORDER 5 -MOTIONS NOT REQUIRING WRITTEN NOTICE

- 5** Motions in respect of the following matters may be moved without written notice:-
 - 5.1** To appoint a person to preside at a meeting.
 - 5.2** To approve the absences of councillors.
 - 5.3** To approve the accuracy of the minutes of the previous meeting.
 - 5.4** To correct an inaccuracy in the minutes of the previous meeting.
 - 5.5** To dispose of business, if any, remaining from the last meeting
 - 5.6** To alter the order of business on the agenda for reasons of urgency or expedience.

- 5.7** To proceed to the next business on the agenda.
- 5.8** To close or adjourn debate.
- 5.9** To refer by formal delegation a matter to a committee or to a sub-committee or an employee.
- 5.10** To appoint a committee or sub-committee or any councillors thereto.
- 5.11** To receive nominations to a committee or sub-committee.
- 5.12** To dissolve a committee or sub-committee.
- 5.13** To note the minutes of a meeting of a committee or sub-committee
- 5.14** To consider a report and/or recommendations made by a committee or a sub-committee or an employee.
- 5.15** To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
- 5.16** To authorise legal deeds [to be sealed by the Council's common seal] OR [signed by two councillors] and witnessed. (*See standing orders 14.1 and 14.2 below.*)
- 5.17** To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
- 5.18** To extend the time limit for speeches.
- 5.19** To exclude the press and public for all or part of a meeting.
- 5.20** To exclude the press and public for all or part of a meeting.
- 5.21** To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
- 5.22** To give the consent of the Council if such consent is required by standing orders.
- 5.23** *To suspend any standing order except those which are mandatory by law.*
- 5.24** To adjourn the meeting.
- 5.25** To appoint representatives to outside bodies and to make arrangements for those representatives to report back in appropriate written form the activities of outside bodies.
- 5.26** To answer questions from councillors.
- 5.27** If a motion falls within the terms of reference of a committee or sub-committee or within the delegated powers conferred on an employee, a referral of the same may be

made to such committee or sub-committee or employee provided that the Mayor may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

STANDING ORDER 6 - RULES OF DEBATE

- 6.1** Subject to standing orders 4.1 – 4.5 above, a motion shall not be considered unless it has been proposed and seconded.
- 6.2** 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.
- 6.3** Any amendment to a motion shall be either:-
 - 6.3.1** to leave out words
 - 6.3.2** to add words
 - 6.3.3** to leave out words and add other words
- 6.4** A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration.
- 6.5** Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Mayor/Chair. No further amendment to a motion shall be moved until the previous amendment has been disposed of.
- 6.6** Subject to above, one or more amendments may be discussed together if the Mayor/Chair considers this expedient but shall be voted upon separately.
- 6.7** Pursuant to standing orders above, the number of amendments to an original or substantive motion, which may be moved by a councillor, is limited to one
- 6.8** If an amendment is not carried, other amendments shall be moved in the order directed by the Mayor/Chair.
- 6.9** 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.
- 6.10** 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.
- 6.11** The mover of a motion or the mover of an amendment shall have a right of reply, not

exceeding 2 minutes.

- 6.12** 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.
- 6.13** A point of order shall be decided by the Mayor or Chair of that meeting and his decision shall be final.
- 6.14** Subject to standing orders above, when a councillor's motion is under debate no other motion shall be moved except:-
- 6.14.1** to amend the motion
 - 6.14.2** to proceed to the next business
 - 6.14.3** to adjourn the debate
 - 6.14.4** to put the motion to a vote
 - 6.14.5** to ask a person to be silent or for him to leave the meeting
 - 6.14.6** to refer a motion to a committee or sub-committee for consideration
 - 6.14.7** to exclude the public and press
 - 6.14.8** to adjourn the meeting
 - 6.14.9** to suspend any standing order, except those which are mandatory.
- 6.15** No speech shall exceed FIVE minutes except by the consent of the Council
- 6.16** The Mayor/Chair shall first be satisfied that the motion has been sufficiently debated before it is seconded and put to the vote, The Mayor/Chair shall call upon the mover of the motion under debate to exercise or waive his right to 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.

STANDING ORDER 7 - CODE OF CONDUCT

- 7.1** *All councillors shall observe the code of conduct adopted by the Council.*
- 7.2** All members have a duty to report breaches of Code of Conduct to the Ombudsman for Wales.

STANDING ORDER 8 - QUESTIONS

- 8** A councillor may seek an answer to a question concerning any business of the Council provided 5 clear days notice of the question has been given to the Proper Officer and the request be made in writing

STANDING ORDER 9 - MINUTES

- 9.1** 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 orders.
- 9.2** Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the Mayor of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- 9.3** 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.

STANDING ORDER 10 - DISORDERLEY CONDUCT

- 10.1** No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. Any member may bring to the attention of the Chair that a fellow member's conduct is disorderly.
- 10.2** If, in the opinion of the Mayor/Chair/Member, there has been a breach of standing order 10.1, the Chair may ask 'That the member named be not further heard', and the motion if seconded shall be put to the vote, without further discussion.
- 10.3** If a resolution made in accordance with standing order 10.2 above, is disobeyed, the Chair or any other member may move "That the named member do leave the meeting", and the motion if seconded, shall be put to the vote without further discussion.
- 10.4** If the Chair deems it necessary he may adjourn the meeting of the Council for such a period as in his discretion shall consider to be expedient.

STANDING ORDER 11– RESCISSION OF PREVIOUS RESOLUTIONS

- 11** Note: This standing order shall not apply to motions moved in pursuance of a recommendation of a committee.

- 11.1** A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months except either by a special motion, the written notice of which must bear the names of at least SEVEN councillors of the Council.
- 11.2** When a special motion or any other motion moved pursuant to standing order 11.1 above has been disposed of, no similar motion may be moved within a further 6 months.

STANDING ORDER 12 – VOTING ON APPOINTMENTS

- 12** 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.

STANDING ORDER 13 – EXPENDITURE

- 13.1** *Any expenditure incurred by the Council shall be in accordance with the Council's financial regulations.*
- 13.2** *The Council's financial regulations shall be reviewed Annually*
- 13.3** *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.*

STANDING ORDER 14 – EXECUTION OF LEGAL DEEDS

See also standing order 5.16

- 14.1** A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.
- 14.2** *In accordance with a resolution made under standing order 14.1 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.

STANDING ORDER 15 –COMMITTEES

See also standing order 1 above

- 15 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:
- 15.1 shall determine their terms of reference
- 15.2 may permit committees to determine the dates of their meetings
- 15.3 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
- 15.4 may in accordance with standing orders, dissolve a committee at any time

STANDING ORDER 16 – SUB COMMITTEES

See also standing order 1 above

- 16 Unless there is a Council resolution to the contrary, every committee may appoint a sub-committee whose terms of reference and members shall be determined by resolution of the committee.

STANDING ORDER 17 –EXTRAORDINARY MEETINGS

See also standing order 1 above

- 17.1 *The Mayor of the Council may convene an extraordinary meeting of the Council at any time*
- 17.2 *If the Mayor 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 in writing and signed/endorsed by the two councillors*
- 17.3 The Mayor along with the Proper Officer of the Council shall decide if the requisition be lawful and that their decision be final. In pursuance to Standing Order number

(4d), after seeking advice if deemed necessary

STANDING ORDER 18 – ADVISORY COMMITTEES

See also standing order 1 above

- 18.1** The Council may appoint advisory committees comprised of a number of councillors and non-councillors
- 18.2** Advisory committees and any sub-committees may consist wholly of persons who are non-councillors

STANDING ORDER 19 ACCOUNTS & FINANCIAL STATEMENT

- 19.1** 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
- 19.2** 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

STANDING ORDER 20 –PRECEPTS

- 20.1** *The Council shall approve written Precept for the coming financial year* at its meeting before the end of January
- 20.2** 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

November

STANDING ORDER 21 –CANVASSING OF AND RECOMMENDATIONS BY COUNCILLORS

- 21.1** 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 Proper Officer shall disclose the requirements of this standing order to every candidate
- 21.2** 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; 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
- 21.3** This standing order shall apply to tenders as if the person making the tender were a candidate for an appointment

STANDING ORDER 22 –INSPECTION OF DOCUMENTS

- 22** 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

STANDING ORDER 23 - UNAUTHORISED ACTIVITIES

- 23** Unless authorised by a resolution, no individual councillor shall in the name of or on behalf of the Council, a committee or a sub-committee:
- 23.1** inspect any land and/or premises which the Council has a right or duty to inspect;
- or**

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- 23.2** issue orders, instructions or directions

STANDING ORDER 24 –CONFIDENTIAL BUSINESS

- 24.1** Councillors and employees shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature
- 24.2** A councillor in breach of the provisions of standing order 24.1 above may be removed from a committee or a sub-committee by a resolution of the Council

STANDING ORDER 25 – MATTERS AFFECTING COUNCIL EMPLOYEES

- 25.1** If a meeting considers any matter personal to a Council employee, it shall not be considered until the Council has decided whether or not the press and public shall be excluded pursuant to standing order 1.3 above
- 25.2** Council employees can only be discussed in Establishment Committee, All staff other than the Proper Officer must be excluded, and if an Agenda item is specific to the proper Officer he also may be excluded
- 25.3** 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
- 25.4** 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
- 25.5** 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

STANDING ORDERS 26 –FREEDOM ON INFORMATION ACT 2000

- 26.1** 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
- 26.2** Correspondence from, and notices served by, the Information Commissioner shall be

referred by the Proper Officer to the chairman of the committee. The said committee 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 3.10

STANDING ORDER 27 – RELATIONS WITH THE PRESS/MEDIA

- 27.1** 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 Media policy
- 27.2** In accordance with the Council's policy in respect to dealing with the press and/or other media, councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media in accordance with the Council's Media policy

STANDING ORDER 28 – FINANCIAL MATTERS

- 28.1** 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:
- 28.1.1** the accounting records and systems of internal control
- 28.1.2** the assessment and management of financial risks faced by the Council
- 28.1.3** the work of the Internal Auditor and the receipt of regular reports from the Internal Auditor, which shall be required at least annually
- 28.1.4** the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments
- 28.2** *Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £5,000 shall be procured on the basis of a formal tender.*
- 28.3** Any formal tender process shall comprise the following steps:-
- 28.3.1** a public notice of intention to place a contract to be placed in a local newspaper

- 28.3.2** a specification of the goods, materials, services and the execution of works shall be drawn up
- 28.3.3** tenders are to be sent, in a sealed marked envelope, to the Proper Officer by a stated date and time
- 28.3.4** tenders submitted are to be opened, after the stated closing date and time, by the Proper Officer and at least one member of the Council
- 28.3.5** tenders are then to be assessed and reported to the appropriate meeting of Council or Committee
- 28.4** Neither the Council, nor any committee, is bound to accept the lowest tender, estimate or quote
- 28.5** *Where the value of a contract is likely to exceed £138,893 (or other threshold specified by the Office of Government Commerce from time to time) the Council must consider whether the Public Contracts Regulations 2006 (SI No.5, as amended) and the Utilities Contracts Regulations 2006 (SI No. 6, as amended) apply to the contract and, if either of those Regulations apply, the Council must comply with EU procurement rules*

STANDING ORDER 29 – VARIATION, REVOCATION & SUSPENSION OF STANDING ORDERS

- 29.1** 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
- 29.2** A motion to permanently add to or to vary or to revoke one or more of the Council's standing orders not mandatory by law shall not be carried unless two-thirds of the councillors at a meeting of the Council vote in favour of the same

STANDING ORDER 30 – STANDING ORDERS TO BE GIVEN TO COUNCILLORS

- 30.1** The Proper Officer shall provide a copy of the Council's standing orders to a councillor upon delivery of his declaration of acceptance of office.

- 30.2** The Mayor/Chairs decision as to the application and interpretation of standing orders or as to any proceedings of the Council shall be final.
- 30.3** A councillor's failure to observe standing orders more than 2 times in one meeting may result in him being excluded from that meeting in accordance with standing orders.