

Standing Orders for Ware Town Council
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STANDING ORDERS

1. Meetings

- a) Meetings of the Council shall be held in each year on such dates and times and at such place as the Council may direct.

2. The Statutory Annual Meeting

- a) In an election year the Annual Meeting of the Town Council shall be held on or within 14 days following the day on which the councillors elected take office and
- b) In a year which is not an election year the Annual Meeting of the Town Council shall be held on such day in May as the Council may direct.

3. In addition to the Statutory Annual Meeting of the Town Council at least three other statutory meetings shall be held in each year on such dates and times and at such place as the Council may direct.

4. Chairman of the Meeting

The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.

5. Proper Officer

Where a statute, regulation or order confers function or duties on the proper officer of the Council in the following cases, he shall be the clerk or nominated officer: -

To receive declarations of acceptance of office.

To receive and record notices disclosing interests at meetings.

To receive and retain plans and documents.

To sign notices or other documents on behalf of the Council.

To receive copies of bylaws made by another local authority.

To certify copies of bylaws made by the Council.

To sign and issue the summons to attend meetings of the Council.

To keep proper records for all Council meetings.

6. Quorum of the Council and its Committees

Three members or one-third of the total membership, whichever is the greater, shall constitute a quorum at meetings of the Council and its Committees.

7. **If a quorum is not present or if during a meeting the number of councillors present (not counting those debarred by reason of a declared interest) falls below the required quorum, the meeting shall be adjourned and business not transacted shall be transacted at the next meeting or on such other day as the Chairman may fix.**

8. Voting

Members shall vote by show of hands or, if at least two members so request, by signed ballot.

9. **If a member so requires, the Clerk shall record the names of the members who voted on any question so as to show whether they voted for or against it. Such a request must be made before moving on to the next business.**

10. **(1) Subject to (2) and (3) below the Chairman may give an original vote on any matter put to the vote, and in any case of an equality of votes may give a casting vote whether or not he gave an original vote.**

(2) If the person presiding at the annual meeting would have ceased to be a member of the council but for the statutory provisions which preserve the membership of the Chairman and Vice-Chairman until the end of their term of office he may not give an original vote in an election for Chairman.

(3) The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.

11. Order of Business

At each Annual Meeting of the Town Council the first business shall be:-

- a) To elect a Chairman of the Council**
- b) To receive the Chairman's declaration of acceptance of office or, if not then received, to decide when it shall be received.**
- c) In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.**
- d) To decide when any declarations of acceptance of office which have not been received as provided by law shall be received.**
- e) To elect a Vice-Chairman of the Council.**

- f) To appoint representatives to outside bodies.
- g) To appoint committees and sub-committees.

and shall thereafter follow the order set out in the Standing Order 14

12. **At every meeting other than the Annual meeting of the Town Council the first business shall be to appoint a Chairman if the Chairman and Vice-Chairman be absent and to receive such declarations of acceptance of office (if any) and undertaking to observe the Council's code of conduct as are required by law to be made or, if not then received, to decide when they shall be received.**
13. In every year, not later than the meeting at which the estimates for next year are settled, the Council shall review the pay and conditions of service of existing employees. Standing Order 38 must be read in conjunction with this requirement.
14. After the first business has been completed, the order of business, unless the Council otherwise decides on the ground of urgency, shall be as follows:-
 - a) To read and consider the Minutes; provided that if a copy has been circulated to each member not later than the day of issue of the summons to attend the meeting, the Minutes may be taken as read.
 - b) After consideration to approve the signature of the Minutes by the person presiding as a correct record.**
 - c) To deal with business expressly required by statute to be done.**
 - d) To dispose of business, if any, remaining from the last meeting.
 - e) To receive such communications as the person presiding may wish to lay before the Council.
 - f) To answer questions from Councillors.
 - g) To receive and consider reports and minutes of committees.
 - h) To receive and consider reports from Officers of the Council
 - i) To receive and consider resolutions or recommendations in the order in which they have been notified.
 - j) To authorise the sealing and signing of documents.
15. **Urgent Business**

A motion to vary the order of business on the ground of urgency:

- a) May be proposed by the Chairman or by any member and, if proposed by the Chairman, may be put to the vote without being seconded, and
- b) Shall be put to the vote without discussion.

16. Resolutions Moved On Notice

Except as provided by these Standing Orders, no resolution may be moved unless the business to which it relates has been put on the Agenda by the Clerk or the mover has given notice in writing of its terms and has delivered the notice to the Clerk at least 7 clear days before the next meeting of the Council.

17. The Clerk shall date every notice of resolution or recommendation 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.
18. The 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 member giving a notice of motion has stated in writing that he intends to move at some later meeting or that he withdraws it.
19. If a resolution or recommendation specified in the summons is not moved either by the member who gave notice of it or by any other member, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.
20. If the subject matter of a 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 Chairman, if he considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.
21. Every resolution or recommendation shall be relevant to some subject over which the Council has power or duties, which affects its area.

22. Resolutions Moved Without Notice

Resolutions dealing with the following matters may be moved without notice:-

- a) To appoint a Chairman of the meeting.
- b) To correct the Minutes.
- c) To approve the Minutes.
- d) To alter the order of business.
- e) To proceed to the next business.

- f) To close or adjourn the debate.
- g) To refer a matter to a committee.
- h) To appoint a committee or any members thereof.
- i) To adopt a report.
- j) To authorise the sealing of documents.
- k) To amend a motion.
- l) To give leave to withdraw a resolution or amendment.
- m) To extend the time limit for speeches.
- n) To exclude the press and public. (see Order 68 below)
- o) To silence or eject from the meeting a member named for misconduct. (see order 33 below)
- p) To give the consent of the Council where such consent is required by these Standing Orders.
- q) To suspend any Standing Order. (see Order 76 below)
- r) To adjourn the meeting.

23. Questions

A member may ask the Chairman of the Council or the Clerk any question concerning the business of the Council, provided 2 working days notice of the question has been given to the person to whom it is addressed.

- 24. No questions not connected with business under discussion shall be asked except during the part of the meeting set aside for questions.
- 25. Every question shall be put and answered without discussion.
- 26. A person to whom a question has been put may decline to answer.
- 27. Where the reply to any question cannot be given orally, it shall be deemed a sufficient reply if the answer is circulated to members of the Council with the minutes of the meeting at which the question has been asked.

28. Rules of Debate

No discussion of the Minutes shall take place except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chairman.

- a Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairman of the meeting.
- b A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- c A motion on the agenda that is not moved by its proposer may be treated by the chairman of the meeting as withdrawn.
- d If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- e An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- f If an amendment to the original motion is carried, the original motion becomes the substantive motion upon which further amendment(s) may be moved.
- g An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chairman of the meeting, is expressed in writing to the chairman.
- h A councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- i If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chairman.
- j Subject to standing order 1(k) below, only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairman of the meeting.
- k One or more amendments may be discussed together if the chairman of the meeting considers this expedient but each amendment shall be voted upon separately.
- l A councillor may not move more than one amendment to an original or substantive motion.
- m The mover of an amendment has no right of reply at the end of debate on it.
- n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate of the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.

- o Unless permitted by the chairman of the meeting, a councillor may speak once in the debate on a motion except:
 - i. to speak on an amendment moved by another councillor;
 - ii. to move or speak on another amendment if the motion has been amended since he last spoke;
 - iii. to make a point of order;
 - iv. to give a personal explanation; or
 - v. in exercise of a right of reply.

- 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 he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.

- q When a 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 no longer heard or 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; or
 - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory requirements.

- s Before an original or substantive motion is put to the vote, the chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.

- t Excluding motions moved understanding order 1(r) above, the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed () minutes without the consent of the chairman of the meeting.

- 30. A member shall normally stand when speaking at Council

- 31. a) A point of order or admissibility of a personal explanation shall be decided by the Chairman, whose decision shall be final.

- b) Members shall address the Chairman. If two or more members wish to speak, the Chairman shall decide who to call upon.
- c) Whenever the Chairman speaks during a debate all other members shall be silent.

33. Disorderly Conduct

- a) No member shall at a meeting persistently disregard the ruling of the Chairman, wilfully obstruct business, or behave irregularly, offensively, improperly or **in such a manner as to bring the Council into disrepute.**
- b) If, in the opinion of the Chairman, a member has broken the provisions of paragraph (b) of this Order, the Chairman shall express that opinion to the Council and thereafter any member may move that the member named be no longer heard or that the member named do leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
- c) If either of the motions mentioned in paragraph c is disobeyed, the Chairman may adjourn the meeting or take such further steps as may reasonably be necessary to enforce them.

36. Rescission of Previous Resolution

- a) A decision (whether affirmative or negative) of the Council shall not be reversed within six months except either by a special resolution, the written notice whereof bears the names of at least 6 members of the Council, or by a resolution moved in pursuance of the report or recommendation of a committee and justification for so doing shall be recorded.
- b) When a special resolution or any other resolution moved under the provisions of paragraph (a) of this Order has been disposed of, no similar resolution may be moved within a further six months.

37. Voting On Appointments

Where more than two persons have been nominated for any position to be filled by the Council and of the votes given there is not an absolute majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken, and so on until a majority of votes is given in favour of one person.

39. Handling Confidential or Sensitive Information

- (i) 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.

(ii) Councillors and staff should not disclose confidential or sensitive information which for special reasons would not be in the public interest.

40. Discussions and Resolutions Affecting Employees of the Council

- a) If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service, of any person employed by the Council, it shall not be considered until the Council or committee (as the case may be) has decided whether or not the press and public shall be excluded. (See Standing Order No. 68.)
- b) All vacancies to be filled in the appointment of officers of the Council, unless they are to be filled by promotion or transfer, shall be publicly advertised

39. Resolutions on Expenditure

Any resolution (which is moved otherwise than in pursuance of a recommendation of the Finance and Resources Committee or of another committee after recommendation by the Finance and Resources Committee) and which, if carried, would, in the opinion of the Chairman, substantially increase the expenditure upon any service which is under the management of the Council or reduce the revenue at the disposal of any committee, or which would involve capital expenditure, shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council, and any committee affected by it shall consider whether it desires to report thereon (and the Finance and Resources Committee shall report on the financial aspect of the matters).

41. Expenditure

All payments by the Council shall be authorised, approved and signed in accordance with the law, proper practices and the Council's Financial Regulations.

42. Sealing of Documents

- a) A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution.
- b) The Council's Common seal shall alone be used for sealing documents. It shall be applied by the proper officer in the presence of two members who shall sign the document as witnesses.

43. Committees and Sub Committees

The Council may at its Annual 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:-

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

- b) May appoint persons other than members of the Council to any Committee; and
- c) May subject to the provisions of Standing Order 36 above at any time dissolve or alter the membership of committee.
- d) The following Standing Committees shall be appointed by the Council and shall consist of the numbers of members (exclusive of the Mayor) respectively set opposite each Committee and shall have the Terms of Reference specified, namely:-
 - e) Planning Committee (not less than 6 members)
 - i. To consider all matters referred to the Council under the Planning Consultation procedure between the Town and District Councils or otherwise affecting or likely to affect the good and proper planning within the Town.
 - ii. To consider all environmental matters affecting the Town.
 - iii. To consider all highways and transport issues affecting the Town.
 - iv. The Town Council delegate to this Committee the right to refer its decisions direct to the District Council.
 - f) Finance & Resources Committee (not less than 6 members)
 - i. To consider all matters affecting the Income and Expenditure of the Council including charges and recommendations made by other Committees and the best use of the Council's resources.
 - ii. To consider all matters relating to wages, salaries and employment of Officers and Servants of the Council.
 - iii. To consider all matters affecting the Council within its powers as a Burial Authority.
 - iv. To consider all matters relating to the Allotment Holdings in the control of the Council.
 - v. The Committee may co-opt up to two tenants of the Council's Allotments to serve as Members of the Committee during consideration of matters referred to in Standing Order No. 30 (b) (vi) only.
 - vi. To make recommendations to the Council on all matters considered except that the Committee shall have powers delegated to them for authority to incur expenditure up to a Maximum of £1,000 on items of a domestic nature provided provision is made for such expenditure within the Annual Estimates.

vii. To consider applications for grants.

g) Tourism, Leisure and Amenities Committee (no more than 5 members)

- i) The Committee shall be known as the Tourism, Leisure and Amenities Committee.
- ii) The Committee shall be a Standing Committee of the Ware Town Council and shall have responsibility to co-ordinate, discuss and advise the Town Council in regard to such matters as affect the provision and promotion of tourism, leisure and all other amenities in Ware and to make recommendations thereon.
- iii) The Committee shall seek such advice as may be appropriate or necessary from interested bodies and organisations whose purpose and aims are in line with the remit of the committee.
- iv) The Committee shall endeavour to promote, encourage and facilitate tourism, sport, leisure and cultural facilities and local organisations connected therewith.
- v) The Committee shall be authorised to invite such persons as it believes are able to make a contribution to the work of the Committee to any meeting of the Committee and to speak thereat. Persons invited shall not take part in any discussion nor vote on any items that may be decided by the Committee but may answer questions put by members of the Committee.
- vi) The Chairman of the Committee shall be an elected Member of the Ware Town Council and shall not be a Chairman of any other of the Council's Standing Committees and shall be elected at the first meeting of the Committee in each civic year.
- vii) The Vice-Chairman of the Committee shall be elected at the same meeting as the Chairman of the Committee.
- viii) The Committee shall be served by no more than two officials appointed by the Ware Town Council and such persons shall be the Town Clerk and the Committee Clerk.
- xi) The Committee shall meet six times in each year unless, in the opinion of the Chairman of the Committee, there are matters that should be discussed prior to the next appointed meeting date of the Committee.
- x) Any member of the Committee may ask the Chairman to call a meeting in respect of a specific matter if they consider it necessary. The decision of the Chairman as to whether or not to hold a meeting and, if so, on which date shall be final.
- xi) The Committee has no authority to undertake, enter into or commit the Ware Town Council in any financial transactions unless specifically

authorised to do so by the Council or has been given delegated powers to do so.

xii) Where this constitution is silent the Standing Orders of the Ware Town Council relating to the conduct of meetings and matters associated therewith shall apply.

44. The Chairman, ex-officio, shall be a voting member of every committee.

45. 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 Meeting of the council, and shall settle its programme of meetings for the year provided that no member of the Council shall be Chairman of more than one Committee.

46. Special Meeting

The Chairman of a committee or the Chairman 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 quarter 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.

47. Sub-Committees

Every committee may appoint sub-committees for purposes to be specified by the committee.

48. The Chairman and Vice-Chairman of the committee shall be members of every sub-committee appointed by it unless they signify that they do not wish to serve.

49. 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 one-half of its members.

50. The Standing Orders on rules of debate (except those parts relating to standing and to speaking more than once) and the Standing Order on interests of members in contracts and other matters shall apply to committee and sub-committee meetings.

51. Advisory Committees

a) The Council may create advisory committees, whose name, and number of members and the bodies to be invited to nominate members shall be specified.

b) The Clerk shall inform the members of each advisory committee of the terms of reference of the committee.

- c) An advisory committee may make recommendations and give notice thereof to the Council
- d) An advisory committee may consist wholly of persons who are not members of the Council.

52. Voting in Committees

Members of committees and sub-committees entitled to vote, shall vote by show of hands, or, if at least two members so request, by signed ballot.

53. **Chairmen of committees and sub-committees shall in the case of an equality of votes have a second or casting vote.**

54. Presence of Non-Members of Committees at Committee Meetings

A member who has proposed a resolution, which has been referred to any committee of which he is not a member, may explain his resolution to the committee but shall not vote.

55. Accounts and Financial Statement

- 1) Except as provided in paragraph (2) of this Standing Order or by statute, all accounts for payment and claims upon the Council shall be laid before the Council.
- 2) Where it is necessary to make a payment before it has been authorised by the Council, such payment shall be certified as to its correctness and urgency by the appropriate officer. Such payment shall be authorised by the committee, if any, having charge of the business to which it relates, or by the Proper Officer for payment with the approval of the Mayor or Chairman of the Finance and Resources Committee.
- 3) All payments ratified under sub-paragraph (2) of this Standing Order shall be separately included in the next schedule of payments before the Council.

56. The Responsible Financial Officer shall supply to each member as soon as practicable after 31 March in each year a statement of the receipts and payments of the Council for the completed 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 member before the end of the following month of May. The Statement of Accounts of the Council (which is subject to external audit) shall be presented to Council for formal approval before the end date specified by statute.

57. Estimates / Precepts

- 1) The Council shall approve written estimates for the coming financial year at its meeting before the end of the month of January.

- 2) Any Committee desiring to incur expenditure shall give the Clerk a written estimate of the expenditure recommended for the coming year no later than December.

58. Code of Conduct and Dispensations

(i) All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.

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

(iii) Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the Council's Code of Conduct. He may return to the meeting after it has considered the matter in which he had the interest.

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

(v) A decision as to whether to grant a dispensation shall be made by a meeting of the Council and that decision is final.

(vi) A dispensation request shall confirm:-

- the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
- whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
- the date of the meeting or the period (not exceeding four years) for which the dispensation is sought;
- an explanation as to why the dispensation is sought.

(vii) Subject to standing orders 57 (v) and (vi) above, dispensation requests shall be considered by the Council before the meeting or if not possible at the start of the meeting for which the dispensation is required.

(viii) **A dispensation may be granted in accordance with standing order 57 (v) above if having regard to all relevant circumstances the following applies:-**

- **without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business or**
- **granting the dispensation is in the interests of persons living in the Council's area or**

- **it is otherwise appropriate to grant a dispensation.**

59. If a candidate for any appointment under the Council is to his knowledge related to any member of or the holder of any office under the Council, he and the person to whom he is 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 a relationship to a member is disclosed, Standing Orders 57 shall apply as appropriate.
60. The Clerk shall make known the purpose of Standing Order 59 to every candidate.
61. Canvassing of and Recommendations by Members
- 1) Canvassing of members of the Council or of any committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make known the purport of this subparagraph of this Standing Order to every candidate.
 - 2) A member of the Council or of any committee shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but, nevertheless, any such member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
62. Standing Order Nos. 59 & 61 shall apply to tenders as if the person making the tender were a candidate for an appointment.
63. Code of Conduct Complaints
- (i) Upon notification by the District Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's Code of Conduct, the Proper Officer shall, subject to Standing Order 38 above, report this to the Council.
 - (ii) Where the notification in Standing Order 64 (i) above relates to a complaint made by the Proper Officer, the Proper Office shall notify the Chairman of the Council of this fact, and the Chairman shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with Standing Order 64 (iv) below.
 - (iii) The Council may:
 - Provide information or evidence where such disclosure is necessary to progress and investigation of the complaint or is required by law;

- Seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;

(iv) 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 from office.

64. Inspection of Documents

A member may for the purpose of his duty as such (but not otherwise), inspect any document in possession of the Council or a committee, and if copies are available shall, on request, be supplied for the like purpose with a copy.

65. All minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council.

66. Unauthorised Activities

No member of the Council or of any committee or sub-committee shall in the name of or on behalf of the Council:-

- Inspect any lands or premises which the Council has a right or duty to inspect; or
- Issue orders, instructions or directions.

Unless authorised to do so by the Council or the relevant committee or sub-committee.

67. Admission of the Public and Press to Meetings

The public and press shall be admitted to all meetings of the Council and its committees and sub-committees, which may, however, temporarily exclude the public by means of the following resolutions: -

"That in view of the [special] [confidential] nature of the business about to be transacted, it is advisable in the public interest that the press and public be temporarily excluded and they are instructed to withdraw"

68. The Council shall state the special reason for exclusion.

68. The Clerk shall afford to the press reasonable facilities for the taking of their report of any proceedings at which they are entitled to be present. A person may not orally report or comment about a meeting as it takes place if he is present at a meeting of the Town Council or its committees but otherwise may:

- film, photograph or make an audio recording of a meeting;
- use any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later
- report or comment on the proceedings in writing during or after a meeting or orally report or comment after the meeting.

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

The period of time for members of the public to speak and address the Council and/or its Committees is 3 minutes each limited to two persons speaking for and two persons speaking against per agenda item. The Chairman will have the discretion to adjourn the meeting for a period of time determined by the Chairman to allow further discussion. The Council may consider holding a public meeting to enable further discussion.

69. If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that he be removed from the meeting and may adjourn the meeting for such period as is necessary to restore order.

70. Confidential Business

- 1) No member of the Council or of any committee or sub-committee shall disclose to any person not a member of the Council any business declared to be confidential by the Council, the committee or the sub-committee as the case may be.
- 2) Any member in breach of the provisions of paragraph (1) of this Standing Order shall be removed from any committee or sub-committee of the Council by the Council.

71. Liaison with County and District Councillors

A summons and Agenda for each meeting shall be sent, together with an invitation to attend, to the County or District Councillor for the appropriate division or ward.

72. Unless the Council otherwise orders, a copy of each written communication to be sent to the County or District Council shall be transmitted to the County Councillor for the division or to the District Councillor for the ward as the case may require.

73. Planning Applications

- 1) The Clerk shall, as soon as it is received will record every planning application notified to the Council: -
 - a) the date on which it was received
 - b) the name of the applicant
 - c) the place to which it relates;
- 2) The Clerk shall refer every planning application received to the Planning Committee

74. Financial Matters

The Council shall consider and approve Financial Regulations drawn up by the Responsible Financial Officer.

- 1) Such Regulations shall include detailed arrangements for the following:
 - a) the accounting records and systems of internal control;
 - b) the assessment and management of risks faced by the Council;
 - c) the work of the Internal Auditor and the receipt of regular reports from the Internal Auditor which shall be required at least annually;
 - d) the financial reporting requirements of members and local electors and
 - e) procurement policies (subject to (2) below) including the setting of values for different procedures where the contract has an estimated value less than £60,000.

2) Contracts not exceeding £3,000

Contracts which are not estimated to exceed £3,000 in value or amount shall be dealt with in the manner specified by the Financial Regulations.

Contracts exceeding £3,000 but not exceeding £,000

Before entering into a Contract or issuing an order for execution of any work or the supply of goods or materials which is estimated to exceed £3,000 but not to exceed £,000 in value or amount at least three estimates in writing of the probable expense of the goods or materials or on executing the work in a suitable manner shall be obtained by the Town Clerk.

Contracts exceeding £25,000 but not exceeding £60,000

Before entering into a Contract or issuing an order for execution of any work or the supply of goods or materials which is estimated to exceed £25,000 but not to exceed £60,000 in value the contract will be advertised on the Contracts Finder website for invitations to quote.

- 3) Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £60,000 shall be procured on the basis of a formal tender as summarised in (4) below.
- 4) Any formal tender process shall comprise the following steps:
 - a) a public notice of intention to place a contract to be placed in a local newspaper and on the Contracts Finder website;
 - b) a specification of the goods, materials, services and the execution of works shall be drawn up;
 - c) tenders are to be sent, in a sealed marked envelope, to the Clerk by a stated date and time;
 - d) tenders submitted are to be opened, after the stated closing date and time, by the Clerk and at least one member of Council;

- e) tenders are then to be assessed and reported to the appropriate meeting of Council or Committee.
- 5) The Council, nor any Committee, is not bound to accept the lowest tender, estimate or quote. Any tender notice shall contain a reference to the Standing Orders 58, 61 & 62 regarding improper activity.
- 6) The Financial Regulations of the Council shall be subject to regular review, at least once every four years.

{Council is reminded that the European Union Public Sector Procurement Rules are likely to apply to contracts with a value in excess of £170000 and advice should be sought at this level}

75. Code of Conduct on Complaints

The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or member in such manner as adopted by the Council except for those complaints which should be directed to the Local Standards Committee for consideration.

76. Variation, Revocation and Suspension of Standing Orders

Any or every part of the Standing Orders except those printed in **bold type** may be suspended by resolution in relation to any specific item of business.

- 77. 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.

78 Standing Orders to be given to Members

A copy of these Standing Orders shall be given to each member by the Clerk upon delivery to him of the member's declaration of acceptance of office and written undertaking to observe the Code of Conduct adopted by the Council.

Adopted by Ware Town Council on 7 December 2015