

# **CHILTON TOWN COUNCIL**

## **STANDING ORDERS**

**2008**

## **STANDING ORDERS**

### **CONTENTS**

	<b>Standing Order</b>	<b>Page</b>
<b>Meetings</b>	<b>1</b>	<b>3</b>
<b>Mayor &amp; Chairman of Meeting</b>	<b>2</b>	<b>3</b>
<b>Proper Officer</b>	<b>3</b>	<b>3</b>
<b>Quorum</b>	<b>4</b>	<b>3,4</b>
<b>Voting</b>	<b>5</b>	<b>4</b>
<b>Order of Business</b>	<b>6</b>	<b>4,5</b>
<b>Resolutions moved on Notice</b>	<b>7</b>	<b>6,</b>
<b>Resolutions moved without Notice</b>	<b>8</b>	<b>6,7</b>
<b>Questions</b>	<b>9</b>	<b>7</b>
<b>Rules of debate</b>	<b>10</b>	<b>7,8</b>
<b>Closure</b>	<b>11</b>	<b>9</b>
<b>Disorderly Conduct</b>	<b>12</b>	<b>9</b>
<b>Right of Reply</b>	<b>13</b>	<b>9</b>
<b>Alteration of Resolution</b>	<b>14</b>	<b>9</b>
<b>Recission of Previous Resolution</b>	<b>15</b>	<b>9,10</b>
<b>Voting on Appointments</b>	<b>16</b>	<b>10</b>
<b>Discussion and Resolutions Affecting Employees of the Council</b>	<b>17</b>	<b>10</b>
<b>Appointment of Employees by the Council</b>	<b>18</b>	<b>10</b>
<b>Expenditure</b>	<b>19</b>	<b>10</b>
<b>Sealing of Documents</b>	<b>20</b>	<b>11</b>
<b>Committees and Sub Committees</b>	<b>21</b>	<b>11</b>
<b>Advisory Committees</b>	<b>22</b>	<b>12 Voting in</b>
<b>Committees</b>	<b>23</b>	<b>12</b>
<b>Presence of Non-Members of Committees at</b>	<b>24</b>	<b>12</b>
<b>Accounts and Financial Statement</b>	<b>25</b>	<b>12</b>
<b>Estimates</b>	<b>26</b>	<b>13</b>
<b>Interests</b>	<b>27</b>	<b>13</b>
<b>Canvassing and Recommendations by Members</b>	<b>28</b>	<b>13</b>
<b>Inspection of Documents</b>	<b>29</b>	<b>14</b>
<b>Unauthorised Activities</b>	<b>30</b>	<b>14</b>
<b>Admission of the Public and Press to Meetings</b>	<b>31</b>	<b>14</b>
<b>Confidential Business</b>	<b>32</b>	<b>15</b>
<b>Planning Applications</b>	<b>33</b>	<b>15</b>
<b>Standing Orders on Contracts</b>	<b>34</b>	<b>15</b>
<b>Variation, Revocation and Suspension of Standing Orders</b>	<b>35</b>	<b>16</b>
<b>Code of Conduct on Complaints</b>	<b>36</b>	<b>16</b>
<b>Standing Orders to be given to Members</b>	<b>37</b>	<b>16</b>

## **CHILTON TOWN COUNCIL**

### **MEETINGS OF THE COUNCIL**

### **Standing Order 1**

#### **Place and Time of Meetings**

- (i) Chilton Town Council meetings should be held in the Council Chamber, Council Offices, Chilton at 6.30pm in the evening unless the Council otherwise decided at a previous meeting.
- (ii) Meetings shall conclude by no later than 9.00pm

#### **Annual General Meeting**

- (iii) **The statutory Annual General Meeting in the election year shall be held within 14 days of the day on which the Councillors elected take office or**
- (iv) In a year which is not an election year the Annual General Meeting **must be held in May**, preferably on the second Tuesday.

#### **Statutory Meetings**

- (v) **The three other statutory meetings shall be held on the second Tuesday in June, October and February.**
- (vi) Additional Town Council meetings shall be held on the second Tuesday in the remaining months except in August when no meeting shall take place.

### **MAYOR AND CHAIRMAN OF MEETING**

### **Standing Order 2**

- (i) **The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.**
- (ii) **If present, the Mayor must preside at all full Town Council Meetings. If the Mayor is not present, the Deputy Mayor, if present, will preside. If neither are present then the Council will appoint a Member to preside at the Meeting.**
- (iii) **In the event of the Mayor or Deputy Mayor, as the case may be, arriving after the commencement of the meeting, the Deputy Mayor or other Chairman, appointed pro tem, shall vacate the Chair and the Mayor or Deputy Mayor, as the case may be, shall thereupon preside.**

### **PROPER OFFICER**

### **Standing Order 3**

- (i) Where a statute, regulation or order confers functions or duties on the Proper Officer of the Council, in the following cases he/she shall be the Executive Officer/Town Clerk.
  - a) To receive declarations of acceptance of office.

- b) To receive and record notices disclosing pecuniary interests.
  - c) To receive and retain plans and documents.
  - d) To sign notices or other documents on behalf of the Council.
  - e) To receive copies of bylaws received by any principle authority.
  - f) To certify copies of bylaws made by the Council.
  - g) To sign and issue summonses to attend meetings of the Council.
  - h) To keep proper records for all Council and Committee meetings
- (ii) In any other case the Proper Officer shall be the person nominated by the Council and, in default of nomination, shall be the Executive Officer.

## **QUORUM**

### **Standing Order 4**

- (i) **No business of the Council shall be transacted unless at least 4 Members of the Council are present.**
- (ii) If a quorum is not present when the Council meets, or if during a meeting the number of Councillors present and not debarred by reason of the declared pecuniary interest falls below the quorum, the business not transacted at the meeting shall be transacted at the next meeting or on such other day as the Mayor/Chairman may legally determine.
- (iii) For a quorum relating to a committee or sub-committee, this shall be one third of the membership of the said committee or three whichever is the greater.

## **VOTING**

### **Standing Order 5**

- (i) Members shall vote by show of hands, or if at least two members request so, by signed ballot.
- (ii) **If a Member so requires, the Executive Officer shall record the names of the Members who voted on any question in the minutes, so as to show whether they voted for, against or abstained. Such a request must be made before moving on to the next business.**
  - a) **Subject to (b) and (c) below the Chairman may give an original vote on any matter put to vote, and in any case of an equality of votes may give a casting vote whether or not he gave an original vote.**
  - b) **If the person presiding at the Annual General Meeting would have ceased to be a Member of the Council but for the Statutory provisions which preserve the membership of the Mayor or Deputy Mayor, until the end of their term of office, he may not give an original vote in an election for Mayor.**

- c) **In case of an equality of votes, the Mayor may give a casting vote even though he gave no original vote.**

**ORDER OF BUSINESS**

**Standing Order 6**

- (i) **At each Annual General Meeting the first business shall be:**
  - a) **To elect a Mayor**
  - b) **To receive the Mayor's Declaration of Acceptance of Office or, if not received to decide when it shall be received.**
  - c) **In the year of an election, to receive Declarations of Acceptance of Office from all newly elected Councillors who have not already done so**
  - 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 Deputy Mayor.
  - f) To appoint Committees, Sub-committees, Chairman and Vice Chairman of Committees and representatives to outside bodies.
  - g) To appoint the various portfolio holders.
  - h) For the Mayor to confirm that he has inspected all deeds and trust instruments in the custody of the Council; and thereafter follow the order set out in part (iv) below.
- (ii) **At every meeting, other than the Annual General Meeting, the first business shall be to appoint a Chairman, if the Mayor and Deputy Mayor be absent, and to receive such Declarations of Acceptance of Office (if any) as are required by law to be made.**
- (iii) After the first business has been completed, the order of business, unless the Council otherwise decides on the grounds of urgency, should be as follows;
  - a) **To declare in writing any personal or prejudicial interests in any items to be transacted in accordance with the Councils Code of Conduct.**
  - b) To allow time for public participation, in accordance with the Councils Public Participation Policy.
  - c) **To read and consider the various minutes, however, provided that a copy has been circulated to each Member no later than the day of issue of the summons to attend the meeting, the minutes may be taken as read.**
  - d) **After consideration, to approve the signature of minutes by the Mayor and Chairman of the Committees as a correct record.**
  - e) **To deal with any other business expressly required by statute to be done.**

- f) To dispose of business, if any, remaining from the last meeting.
  - g) To receive such communications as the presiding Chairman may wish to lay before the Council which has been included in the agenda.
  - h) To answer questions from Councillors.
  - i) To receive and consider reports from Officers of the Council.
  - j) To authorise the sealing of documents.
  - k) To consider notices of motion in the order in which they have been received by the Proper Officer.
  - l) Any other business specified in the summons.
- (iii)** A motion to vary the order of business on the ground of urgency, provided it does not alter or displace the business falling under items (a) (b) and (d) above
- a) May be proposed by the Mayor/Chairman or by any Member and, if proposed by the Mayor/Chairman, may be put to the vote without being seconded and
  - b) Shall be put to the vote without discussion, if a vote is requested by two Councillors.

## **MINUTES**

### **Standing Order 7**

- (i)** As soon as the Minutes have been read, or if they are under Standing Order 6(iii) (d), taken as read, the Mayor shall put the question that the Minutes of the meeting of the Council held on the .... Day of.... be signed as a true record.
- (ii)** No motion or discussion shall take place upon the Minutes, except upon their accuracy, and any question of their accuracy shall be raised by motion. If no such question is raised, or if it is raised, then as soon as it has been disposed of, the Mayor shall sign the Minutes and the Chairman of the various committees shall sign their minutes.

## **NOTICES OF MOTION**

### **Standing Order 8**

- (i)** **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 Executive Officer or the mover (a Councillor) and a seconder (a Councillor) have given notice in writing** of its terms and have delivered the motion to the Executive Officer at least ten clear working days before the appropriate meeting of the Council **and it is on the circulated Agenda and Summons.**
- (ii)** The Executive Officer shall date every notice of resolution or recommendation when received, shall number each notice in order in which it was received and shall enter it in a book, which shall be open to inspection by every Member of the Council.

- (iii) The Executive Officer shall include in the summons for every meeting all notices of motion or recommendations, properly given, in the order in which they have been received, unless the Members giving a notice of motion have stated in writing, in sufficient time, that they intend to move it at some later meeting or that they withdraw it and the Executive Officer does not decide this is impractical in the circumstances.
- (iv) 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.
- (v) If the subject matter of a notice 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.
- (vi) Every resolution or recommendation shall be relevant to some subject over which the Council has power or which affects its area.

## **RESOLUTIONS MOVED WITHOUT NOTICE**

## **Standing Order 9**

- (i) 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 an amendment.
  - m) To extend or reduce the time limit for speeches.
  - n) To exclude the press and public (See Standing Order 31).
  - o) To silence or eject from the meeting a member named for misconduct (See Standing Order 12).
  - p) To give consent of the Council, where such consent is required by these Standing Orders.
  - q) To suspend any Standing Order, save for those in bold as these confirm Legislative duties and cannot be altered by the Council (*See Standing Order 36*)
  - r) To adjourn the meeting.
  - s) To dismiss the item.

## **QUESTIONS**

## **Standing Order 10**

- (i) A Member may ask the Mayor/Chairman or the Executive Officer any question concerning the business of the Council, provided 7 clear days notice of the question has been given to the person, to whom it is addressed before the meeting begins.

- (ii) Questions not connected with the business under discussion shall not be asked.
- (iii) Every question shall be put and answered without discussion.
- (iv) A person to whom a question has been put may decline to answer.
- (v) An answer may take the form of:
  - a) A direct oral answer.
  - b) Where the reply to the question cannot conveniently be given orally, a written answer be circulated to all members of the Council within 10 working days of the meeting.

## **RULES OF THE DEBATE**

## **Standing Order 11**

- (i) No discussion shall take place upon the Minutes except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Mayor or Committee Chairman as the case may be.
- (ii)
  - a) A motion or amendment shall not be discussed unless it has been proposed and seconded, and unless proper notice has already been given, it shall, if required by the Chairman, be produced in writing and handed to him before it is further discussed or put to the meeting.
  - b) A Member shall direct his speech to the question under discussion or to a personal explanation or to a question of order.
  - c) A Member, when seconding a motion or amendment may, if he then declares his intention to do so, reserve his speech until a later period of the debate.
  - d) No speech shall exceed three minutes except by consent of the Council.
  - e) An amendment shall be either:
    - i) To leave out words
    - ii) To leave out words and insert or add others
    - iii) To insert or add words
  - f) An amendment shall not have the effect of negating the motion before the Council.**
  - g) If an amendment be carried, the motion, as amended, shall take the place of the original motion and become the motion upon which any further amendment may be moved.
  - h) A further amendment shall not be moved until the Council has disposed of every amendment previously moved.

- i) The mover of a motion or of an amendment (which has become the substantive motion) shall have a right of reply not exceeding 3 minutes.
  - j) A Member, other than the mover of a motion, shall not, without leave of the Council, speak more than once on any motion except to move an amendment or further amendment, or on an amendment, or on a point of order, or in personal explanation, or to move a closure.
  - k) A Member may speak on a point of order or a personal explanation. A Member speaking for these purposes shall be heard forthwith. A personal explanation shall be heard and confined to some material part of a former speech by him, which may have been misunderstood.
  - l) A motion of amendment may be withdrawn by the proposer, with the consent of the Council, which shall be signified without discussion, and no Member may speak upon it after the permission has been requested for its withdrawal, unless permission has been refused.
  - m) When a motion is under debate, no other resolution shall be moved except the following:
    - i) To amend the motion.
    - ii) To proceed to the next business.
    - iii) To adjourn the debate.
    - iv) That the question be now put.
    - v) That a Member named be not heard.
    - vi) That a Member named do leave the meeting.
    - vii) That the motion be referred to a committee.
    - viii) To exclude the public and the press.
    - ix) To adjourn the meeting.
    - x) To dismiss the motion.
- (iii)**
- a) The ruling of the Mayor/Chairman, on a point of order or on the admissibility of a personal explanation, shall not be discussed.
  - b) Members shall address the Mayor/Chairman.
  - c) If two or more Members raise their hand, the Mayor/Chairman shall call upon one of them to speak and the others shall await their turn.
  - d) Whenever the Mayor/Chairman speaks during a debate all other Members shall be seated and silent.

## **RIGHT OF REPLY**

## **Standing Order 12**

- (i)** The mover of a resolution shall have a right to reply immediately, before the resolution is put to vote. If an amendment is proposed, the mover of the amendment shall be entitled to reply immediately before the amendment is put to the vote. A member exercising a right of reply shall not introduce new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

## **CLOSURE**

### **Standing Order 13**

At the end of any speech a Member may, without comment, move “that the question be now put”, “that the debate be now adjourned” or “that the Council do now adjourn.” If such a motion is seconded and if the Chairman is of the opinion that the question before the Council has been sufficiently debated, he shall forthwith put the motion. If the motion “that the question be now put” is carried, he shall call upon the mover to exercise or waive his right of reply and shall put the question immediately after that right has been exercised or waived. The adjournment of a debate or of the Council shall not prejudice the mover’s right of reply at the resumption.

## **DISORDERLY CONDUCT**

### **Standing Order 14**

- (i) All Members must observe the Code of Conduct which was adopted by the Council on the 16<sup>th</sup> May 2007, a copy of which is supplied to all Councillors in their Councillors information pack.**
- (ii) No Member shall, at a meeting, persistently disregard the ruling of the Mayor/Chairman by wilfully obstructing business or by behaving irregularly, offensively, improperly or in such a manner as to bring the Council into disrepute.**
- (iii) If, in the opinion of the Mayor/Chairman, a Member has broken the provisions of paragraph (ii) of this Order, the Mayor/Chairman shall express that opinion to the Council and thereafter any Member may move that the Member named do leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion.**
- (iv) If either of the motions mentioned in the paragraph (ii) is disobeyed, the Mayor/Chairman may suspend the meeting or take such further steps, as may reasonably be necessary, to enforce them.**

## **ALTERATION OF RESOLUTION**

### **Standing Order 15**

- (i) A member may, with the consent of his seconder, move amendments to his own motion, providing this does not change the nature of the motion.**

## **RECISSION OF PREVIOUS RESOLUTION**

### **Standing Order 16**

- (i) 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 eight members of the Council, or by a resolution moved in pursuance of the report or recommendation of a committee.**
- (ii) When a special resolution, or any other resolution moved under the provisions of paragraph (i) of this Order, has been disposed of, no similar resolution may be moved within a further six months.**
- (iii) This Standing Order shall not apply to resolutions moved in pursuance of the report or recommendation of a committee.**

**VOTING ON APPOINTMENTS**

**Standing Order 17**

- (i) 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.

**DISCUSSION AND RESOLUTIONS AFFECTING  
EMPLOYEES OF THE COUNCIL**

**Standing Order 18**

- (i) 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 31).**

**APPOINTMENT OF EMPLOYEES BY THE COUNCIL**

**Standing Order 19**

- (i) In the case of senior permanent employees interviews and appointments, these shall be undertaken by the Executive Officer and the Staffing Committee. In the case of the employment of other permanent employees, trainees, Modern Apprentices, New Deal Workers and casual employees, these shall be interviewed and appointed by the Executive Officer (or such other appropriate officer), within the Councils staffing structure and / or staffing budget.

**EXPENDITURE**

**Standing Order 20**

- (i) The Executive Officer shall have the spending power of no more than £1000 (per item) for the day to day running expenses of the Council, except for expenditure incurred to purchase items required for Health and Safety reasons or other statutory needs for which the limit shall be £10,000.
- (ii) All other orders for the payment of money over £1000 shall be authorised by resolution of the Council or one of its Committees.
- (iii) All orders of the Council shall be signed by the Responsible Financial Officer (RFO).
- (iv) All expenditure / income records shall be scrutinised by the Finance Committee on a monthly basis (save for August).
- (v) All cheques to be signed by two Councillors and the RFO or the Senior Finance and Administrative Officer.
- (vi) The Executive Officer is authorised to use the Councils debit card, within the aforesaid limits, where it is practical to do so.

## **SEALING OF DOCUMENTS**

### **Standing Order 21**

- (i) A document shall not be sealed on behalf of the Council unless its sealing has been authorised by resolution, save for exclusive right of burial deeds
- (ii) The Council's Common Seal shall alone be used for sealing documents. It shall be applied by the Proper Officer in the presence of the Mayor who, together with the Proper Officer, shall sign the document as a witness.

## **COMMITTEES AND SUB COMMITTEES**

### **Standing Order 22**

- (i) 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 relevant statutory provision;
  - a) Shall not appoint any Member of a committee so as to hold office later than the next Annual Meeting, and
  - b) May appoint persons other than Members of the Council to any committee and
  - c) May at any time dissolve or alter the membership of a committee.
- (ii) The Chairman and Vice Chairman of committees shall be elected at the first Town Council meeting and shall hold office until the next Annual General Meeting of the Council
- (iii) For new committees not established at the Annual Town Meeting, the Chairman and Vice Chairman shall be appointed at the first meeting of the committee or sub committee.
- (iv) The Chairman of a committee or the Mayor of the Council may summon an additional meeting of the committee at any time, **providing the requisite Statutory Notice is given to notify of the meeting taking place.**
- (iv) An additional (special) 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 the meeting, **providing the requisite Statutory Notice is given to notify of the meeting taking place.**
- v) Every committee may appoint sub-committees for purposes to be specified by the committee.
- vi) 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.
- vii) 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 shall be one third of its Members and of a sub-committee shall be three or one third of its members, whichever is the greater.

- viii)** The Standing Orders on rules of debate (except that part relating 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 whenever appropriate.

**WORKING PARTIES**

**Standing Order 23**

- (i) The Council may create Working Parties, whose name and number of members and the bodies to be invited to nominate members shall be specified.
- (ii) The Executive Officer shall inform the Members of each Working Party of the terms of reference of the group.
- (iii) A Working Party may make recommendations and give notice thereof to the Council.
- (iv) A Working Party may consist wholly of persons who are not Members of the Council.
- (v) Working Parties will ordinarily have a remit, which is coterminous with the Town Councils Portfolios.

**VOTING IN COMMITTEES**

**Standing Order 24**

- (i) Members of committees and sub-committees entitled to vote shall vote by show of hands or, if at least two members so request, by ballot.
- (ii) **Chairman of committees and sub committees shall in the case of an equality of votes have a second or casting vote.**

**PRESENCE OF NON-MEMBERS OF COMMITTEES  
AT COMMITTEE MEETINGS**

**Standing Order 25**

- i) 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.

**ACCOUNTS AND FINANCIAL STATEMENT**

**Standing Order 26**

- (i) Except as provided in paragraph (ii) of this Standing Order, or by statute, all accounts for payment and claims upon the Council shall be laid before the Finance Committee.
- (ii) Where it is necessary to make a payment before it has been authorised by the Council, such payment shall be authorised by the RFO within his delegated authority.
- (iii) The RFO shall supply to each Member, at the ordinary meeting next, after the end of the financial year, a statement of receipts and payments.
- (iv) The RFO shall report to the Finance Committee when required, but usually every quarter, on the need to undertake virements on the various budget incomes in the interests of good accounting practice.

- (v) The RFO shall provide the Members of the Finance Monitoring Panel / Working Party with a copy of the budget every quarter or when deemed appropriate.

## **BUDGETS**

### **Standing Order 27**

- (i) The Council shall approve written budgets for the coming financial year ordinarily at its meeting in the month of January.

## **INTERESTS**

### **Standing Order 28**

- (i) **If any Member has a personal interest, as defined by the Code of Conduct adopted by the Council on the 13<sup>th</sup> May 2008, then he shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required.**
- (ii) **If a Member who has declared a personal interest then considers the interest to be prejudicial, he must withdraw from the room or chamber during consideration of the item to which the interest relates.**
- (iii) **The Executive Officer may be required to compile and hold a register of Members interests in accordance with agreement reached with the Monitoring Officer of the Responsible Authority and/or as required by Statute**
- (v) 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 Executive Officer. A candidate who fails to do so shall be disqualified for such appointment and, if appointed, may be dismissed without notice. The Executive Officer shall report to the Council or to the appropriate committee any such disclosure. Where a relationship to a Member is disclosed, the Standing Orders on interests of Members in contracts and other matters shall apply.
- (vi) The Executive Officer shall make known the purport of this Standing Order to every candidate.

## **CANVASSING OF AND RECOMMENDATIONS BY MEMBERS**

### **Standing Order 29**

- (i) 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 Executive Officer shall make known the purport of this sub-paragraph of this Standing Order to every candidate.
- (ii) **A Member of the Council shall not solicit, for any person, any appointment under the Council or recommend any person for such appointment or for promotion, additionally no Councillor shall act as a referee or offer to assist a potential applicant when applying for a post with Chilton Town Council.**
- (iii) The above Standing Order shall apply to tenders, as if the person making the tender were a

candidate for an appointment.

## **INSPECTION OF DOCUMENTS**

## **Standing Order 30**

- (i) A Member of the Council 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 **subject to the councils responsibilities under the Freedom of Information Act and Data Protection Act.**
- (ii) **All non confidential minutes kept by the Council and by any committee shall be open for the inspection of any Member of the Council and any member of the public during office hours.**

## **UNAUTHORISED ACTIVITIES**

## **Standing Order 31**

- (i) No Member of the Council, or of any committee or sub-committee shall, in the name of, or on behalf of the Council:-
  - a) **Inspect any residential premises which the Council has a right or duty to inspect or**
  - b) **Issue orders, instructions or directions to any employee or contractor.**
  - c) **Make inappropriate suggestions, remarks, proposals to any member of staff at any time, or in any way contrive the Councils Officer / Member protocol.**

## **ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS**

## **Standing Order 32**

- (i) **The public and press shall be admitted to all meetings of the Council, and committees (and sub-committees) which may, however, temporarily exclude the public and the press by means of the following resolution:**

“That pursuant to Section 100(a) of the Local Government Act 1972 the press and public be excluded from the meeting for the following item of business on the grounds that it may involve the likely disclosure of exempt information as defined in Schedule 12A, Part 1, paragraph 13 of the said Act.”
- (ii) The Council shall state the special reason for exclusion.
- (ii) **The Executive Officer shall afford to the press reasonable facilities for taking their report of any proceedings, at which they are entitled to be present.**
- (iii) **The Council shall allow public participation at the beginning of all of its Meetings and Committees as set out in Standing Order six. Members of the public will be allowed to address the Council on any relevant matter for no more than three minutes and in accordance with the Councils Public Participation Policy.**

- (iv) **No resolutions shall be made on items raised under public participation other than to agenda an item for action / discussion at a subsequent meeting / committee.**
- (v) If a member of the public interrupts the proceedings at any meeting, the Mayor/Chairman may, after warning, order that he/she be removed from the Council Chamber and may take such reasonable action as is necessary to enforce this Standing Order.
- (vi) At all meetings of the Council, the Chairman may permit Members of the Council (including co-opted Members or Members who have a prejudicial interest in relation to any item of business to be transacted at that meeting) to
  - (a) make representations,
  - (b) answer questions, or
  - (c) give evidence relating to the business to be transacted

#### **CONFIDENTIAL BUSINESS**

#### **Standing Order 33**

- (i) **No Member of the Council, or of any committee or sub-committee, shall disclose to any person not a Member of the Council, or of the relevant committee, any business declared to be confidential by the Council, the committee or the sub-committee as the case may be.**
- (ii) Any Member in breach of the provisions of paragraph (i) of this Standing Order shall be removed from any committee or sub-committee of the Council by the Council and if appropriate reported to the Standards Board.
- (iii) No public communication purporting to state the official views of the Council or of any committee shall be addressed to the press by any Member without the minuted authority of the Council.

#### **PLANNING APPLICATIONS**

#### **Standing Order 34**

- (i) The Executive Officer shall refer every planning application to an appropriate committee as established by the Council, except where matters of fundamental importance are concerned where such planning applications will be submitted direct to the next meeting of the Town Council.

#### **STANDING ORDERS ON CONTRACTS**

#### **Standing Order 35**

- (i) Where it is intended to enter into a contract exceeding £1000 in value but less than £5000 for the supply of goods or materials, or for the execution of works, such contract shall have previously been agreed by an appropriate Meeting or committee or be included in the Annual Budget. The Executive Officer shall invite at least three contractors/suppliers to submit prices for the contract. At least two quotations must be obtained. In such circumstances the contract shall be awarded to the lowest supplier by the Executive Officer. If the Executive Officer does not feel it to be appropriate to award the contract to the lowest

supplier, for whatever reason, he shall report this to the next appropriate Council/Committee meeting in order that it may determine to whom the contract should be awarded or what alternative action should be taken.

- (ii) Where it is intended to enter into a contract of value exceeding £5,000 in value for the supply of goods or materials or for the execution of works, the Executive Officer shall invite at least three contractors to submit tenders/quotations for the contract. Such tenders to be forwarded to the Council Offices in the appropriate envelope before the stipulated time in the tender documents.
- (iii) Tenders shall be opened by the Executive Officer, or other person, in the presence of the relevant portfolio holder and one other Councillor, or any two Councillors if the Portfolio holder is unavailable, and shall be reported by the person who opened them to the Council or, where the tenders have been sought by a committee or sub-committee, to that committee or sub-committee.
- (iv) If not enough, or no tenders are received, or if all the tenders are identical, the Council may make such arrangements for procuring the goods or materials or executing the works as it thinks fit.
- (v) Neither the Council, nor any committee or sub-committee, is bound to accept the lowest tender, subject to statutory provisions, however, the principles of Best Value and the proper use of public funds must be adhered to.
- (vi) Every contract entered into by the Council shall be in writing and should specify all information relevant to the work as requested by the notice to tender.
- (vii) All works carried out by a contractor must be in compliance with the ruling of the Health and Safety Executive.

#### **VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS**

#### **Standing Order 36**

- (i) Any part of the Standing Order except those printed in **bold type** may be suspended by resolution in relation to any specific item of business; Standing Orders in bold type confirm Legal requirements so cannot be altered by the Council.
- (ii) A motion to permanently vary or revoke a Standing Order, shall when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

#### **CODE OF CONDUCT ON COMPLAINTS**

#### **Standing Order 37**

- (i) The Council shall deal with complaints of maladministration allegedly committed by the Council, or by an officer, or Member, in such a manner as adopted by the Council in its complaints procedure, (copy supplied to all Councillors in their Councillors Information Pack) except for those complaints which should be properly directed to the Standards Board.

**STANDING ORDERS TO BE GIVEN TO MEMBERS**

**Standing Order 38**

- (i) A copy of these Standing Orders shall be given to each Member by the Executive Officer, upon delivery to him of the Member's Declaration of Acceptance of Office and written undertaking to observe the Standing Orders and the Code of Conduct adopted by the Council.

**DELEGATED EXECUTIVE POWERS**

**Standing Order 39**

(i) **Executive powers delegated to the Executive Officer**

- a. Power to make any day to day purchases for the Council to exercise its functions, duties and powers up to £1000 per item.
- b. Power to authorise use of all Council facilities and equipment such as the bowls pavilions, football pitches and the Council Offices in accordance with any charging schemes which may exist that time.
- c. Power to place any staff member on training courses within the staffing budget having taken into account the training needs of the Council employees.
- d. Power to seek and obtain any available grants and donations for the Town Council.
- e. Power to seek and undertake work for any relevant authority / body / organisation.
- f. Power to authorise any remedial works or maintenance works on Council Property.
- g. Power to determine the level of Public liability cover required for any contractor by way of risk assessment.
- h. Power to release press statements on any activities of the Council.
- i. Power to undertake all personnel functions with regard to staffing and their welfare within the national guidelines and legislative requirements.
- j. Power to appoint temporary, part time staff trainees and permanent full time junior members of staff within the staffing budget.
- k. Power to act on own initiative to implement the Councils policies and objectives.
- l. Power to take appropriate steps to ensure the Council does not exceed its powers.
- m. Power to ensure the Council complies with all Health and Safety legislation and Occupiers liability legislation.
- n. Power to manage all the Councils facilities and resources in accordance with the Councils policies.

- o. Power to delegate any delegated powers and other powers to any member of staff as appropriate.

**(ii) Executive powers delegated to Allotment Committee**

- a. Power to allocate allotments
- b. Power to issue warning letters
- c. Power to take appropriate action to remove tenants in breach of allotment tenancy agreement.
- d. Power to authorise inspections by agents of any sites.
- e. Power to authorise the undertaking of improvements on allotment sites.

**(iii) Executive powers delegated to Finance & Planning Committee**

- a. Power to make S.137 and other Grants
- b. Power to make any representations in respect of Planning Applications on behalf of the Council.
- c. Power to authorise Councillors attendance on training courses.

**(v) Executive powers delegated to the Allotments Appeals Committee**

- a. Power to consider an appeal against the decision of the allotments committee to evict a tenant and to overturn / amend the decision only if the appellant can demonstrate one of the following
  - (i) The agreed process leading to the eviction was not followed.
  - (ii) The agreed process at the hearing was not followed.

**(vi) Executive powers delegated to the Human Resources Committee**

- a. Power to agree new terms and conditions within existing budgets.
- b. Power to hear and deal with grievance complaints.
- c. Power to hear and recommend for approval re-grading applications.