

## Standing Orders

### Adopted at the March 2023 Full Council meeting

#### 1 Standing Order Generally

- a. All or any part of any Standing Order **except one that incorporates mandatory statutory requirements of the Local Government Act 1972, written in bold below**, may be suspended in relation to any specific item of business by a resolution agreed by a vote without dissent of the Members of the Council present. Such resolution shall state the reason for such suspension
- b. A proposal to permanently add, vary or revoke a Standing Order shall, when proposed and seconded and supported by three other Members, be adjourned without discussion to the next ordinary meeting of the Council where it shall be voted on. It shall be passed by a two thirds majority of Councillors present.
- c. The Proper Officer shall provide a copy of the Council's standing orders to a Councillor as soon as possible after they have delivered their acceptance of office form.
- d. The decision of the Chair of a meeting as to the application of standing orders at the meeting shall be final.

#### 2 Ordinary Council Meetings including the Annual Meeting

- a. **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the new Councillors elected take office.**
- b. **In a year which is not an election year, the annual meeting of a Council shall be held on such day in May as the Council decides.**
- c. Meetings of the Council shall be at 7pm. **If no other time is fixed, the Annual Meeting of the Council shall take place at 6pm.**
- d. **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council decides.**
- e. **The first business conducted at the annual meeting of the Council shall be the election of the Chair who shall not be designated 'Town Mayor' and Vice-Chair, if there is one of the Council.**
- f. **The Chair of the Council, unless he/she/they 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.**
- g. **The Vice-Chair of the Council, if there is one, unless he/she/they resigns or becomes disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.**
- h. **In an election year, if the current Chair of the Council has not been re-elected as a Member of the Council, he/she/they shall preside at the annual meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but shall give a casting vote in the case of an equality of votes.**

- i. **In an election year, if the current Chair of the Council has been re-elected as a Member of the Council, he/she/they shall preside at the annual meeting until a new Chair of the Council has been elected. He/she/they may exercise an original vote in respect of the election of the new Chair of the Council and shall give a casting vote in the case of an equality of votes.**
- j. Following the election of the Chair of the Council and Vice-Chair of the Council at the Annual Meeting of the Council, the business of the annual meeting shall include:
- i. **In an election year, delivery by the Chair of the Council and Councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chair of the Council of his acceptance of office form unless the Council resolves for this to be done at a later date.**
  - ii. Confirmation of the accuracy of the minutes of the last meeting or Annual Meeting of the Council.
  - iii. Review and adoption of the Council's Standing Orders and Financial Regulations
  - iv. Confirmation that during the previous year the following have been reviewed by the Council:
    - the Terms of Reference for the standing committees,
    - the delegation arrangements to committees, sub-committees, staff and other local authorities, and review of the Scheme of Delegation.
    - the arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses.
    - the representation on or work with external bodies and arrangements for reporting back.
    - the inventory of land and other assets including buildings and office equipment.
    - a confirmation of arrangements for insurance cover in respect of all insurable risks.
    - the Council's and/or staff subscriptions to other bodies.
    - the Council's complaints procedure.
    - the Council's policies, procedures and practices in respect of its obligations under Freedom of Information and data protection legislation [see also standing orders 11, 20 and 21]
    - the Council's policy for dealing with the press/media.
    - the Council's employment policies and procedures.
    - the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the general power of competence.
    - the time and place of ordinary meetings of the Council up to and including the next Annual Meeting of the Council.
  - v Appointment of any new committees and sub-committees in accordance with Standing Orders
  - vi Appointment of members to existing and new committees and sub-committees
  - vii Appointment of Members to external bodies
  - viii In an election year, to make arrangements with a view to the Council becoming eligible to exercise the general power of competence in the future.
- k. The business of the other meetings of the Full Council shall include:
- i. To receive apologies for absence.
  - ii. To receive Declarations of Members' interests for items on the Agenda
  - iii. To receive presentations from individuals and organisations as agreed by the Chair at the pre-agenda meeting.

- iv. Confirmation of the accuracy of the minutes of the last meeting of the Council and signing as such by the Chair
- v. To receive and answer questions from Members of the public.
- vi. To consider referring issues raised by Members of the public under standing order 6h to a committee of the Council.
- vii. To dispose of business, if any, remaining from the last meeting.
- viii. To deal with business expressly required by statute to be done.
- ix. To receive and consider reports, information, presentations, resolutions, recommendations, on the strategic direction of the Council
- x. To receive and consider financial reports and authorise expenditure,
- xi. To receive, note and raise questions in relation to the minutes and draft minutes of the last meeting of a committee.
- xii. To receive such communications as the person presiding may wish to lay before the Council.
- xiii. To answer questions from Councillors.
- xiv. To receive tabled briefings and orally in exceptional circumstances from the Southwell division County Councillor; and Southwell ward District Councillors and enable questions to be asked of those County and District Councillors.
- xv. To receive tabled briefings from Town Councillors, Sub Committees and Working Groups.
- xvi. To receive correspondence.
- xvii. To consider referring issues raised under standing order 4k[xvi] to a committee of the Council.
- xviii. Confirm the date of the next meeting of the Full Council.

### 3 Extraordinary Meetings of the Council,

- a. **The Chair of the Council may convene an extraordinary meeting of the Council at any time.** The time and place of the meeting will be subject to Standing Order 6. Less than four days' notice may be given with the written consent of the Vice-chair and the Chair of each Standing Committee.
- b. **If the Chair of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two Councillors, any two Councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting must be signed by the two Councillors.** The agenda will contain details and motions to be considered by the extraordinary meeting
- c. The Chair of a committee or a sub-committee may convene an extraordinary meeting of the committee or the sub-committee at any time, subject to Standing Order 6.
- d. If the Chair of a committee or a sub-committee does not or refuses to call an extraordinary meeting within five clear days of having been requested by to do so by two Members of the committee or the sub-committee, any two Members of the committee and the sub-committee may convene an extraordinary meeting of a committee and a sub-committee, subject to Standing Order 6.
- e. Extraordinary meetings of the Council are subject to Standing Order 6 except in extraordinary circumstances such as civil emergencies and shall take place at 7pm in the Town Council offices.

## **4a Motions for a Meeting that require written notice to be given to the Proper Officer**

- a. A motion shall relate to the responsibilities of the meeting which it is tabled for and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
- b. A motion can be tabled at a meeting of the relevant Committee.
- c. No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least **six** clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- d. The Proper Officer may, before including a motion on the agenda received in accordance with standing order 4c above, correct obvious grammatical or typographical errors in the wording of the motion.
- e. If the Proper Officer considers the wording of a motion received in accordance with standing orders 4c above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer so that it can be understood at least four clear days before the meeting.
- f. If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the Chair of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- g. Subject to standing order 4e above, the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- h. Motions received shall be recorded in a book for that purpose and numbered in the order that they are received.
- i. Motions rejected shall be recorded in a book for that purpose with an explanation by the Proper Officer for their rejection.

## **4b Motions at a meeting that do not require written notice**

**The following motions may be moved at a meeting without written notice to the Proper Officer.**

- i. to correct an inaccuracy in the draft minutes of a meeting.
- ii. to move to a vote.
- iii. to amend the motion.
- iv. to defer consideration of a motion.
- v. to refer a motion to a particular committee or sub-committee.
- vi. to appoint a person to preside at a meeting.
- vii. to change the order of business on the agenda.
- viii. to proceed to the next business on the agenda.
- ix. to require a written report.
- x. to appoint a working group or task and finish group and its members.
- xi. to extend the time limits for speaking.
- xii. to exclude the press and public from a meeting in respect of confidential or sensitive information which is prejudicial to the public interest.
- xiii. to not hear further from a Councillor or a Member of the public.
- xiv. to exclude a Councillor or Member of the public for disorderly conduct.
- xv. to temporarily suspend the meeting.

- xvi. to suspend a particular standing order [unless it reflects mandatory statutory requirements].
- xvii. to adjourn the meeting; or
- xviii. to close a meeting

## 5 Committees and sub-committees

- a. The Standing Committees, and other Committees as the Council deems appropriate, of the Council shall be

	Number of Members	Quorum	Indicative Number of times p.a.	Usual timing
The Council	15	5	10	Monthly, 3 <sup>rd</sup> Wednesday; excl Aug & Dec
Planning and Highways Committee	10	4	12	Monthly. 1 <sup>st</sup> Wednesday of the month
Governance and Finance Committee	9	4	6	Bi-monthly 2 <sup>nd</sup> Wednesday of the month to alternate with Town Environment Committee
Town Environment Committee	9	4	6	Bi-monthly 2 <sup>nd</sup> Wednesday of the month to alternate with Governance and Finance Committee
Human Resources Committee	5	3	4	Quarterly
Subcommittees & Working Groups	5	3	variable	to be agreed for Subcommittees by the Council and for Working Groups by the appointing Committee

- b. Any Member may attend any meeting, and shall have speaking rights, but only an elected Member of that Committee, Sub Committee, or Working Group will have voting rights.
- c. **Unless the Council determines otherwise, a committee may appoint a sub-committee or Working Group whose terms of reference and Members shall be determined by the committee** at the time of its appointment. The Council has determined that Committees shall not appoint or establish sub-committees or advisory committees. A working group shall not have delegated powers or authority.
- d. **The Members of a committee may include non-Councillors unless it is a committee which regulates and controls the finances of the Council.** Non-Councillors will not form a majority on any Committee or Sub-Committee of the Council.
- e. **Unless the Council determines otherwise by suspending Standing Order 5b or 5d, all the Members of an advisory committee and a sub-committee of the advisory committee may be non-Councillors.**
- f. The Council will appoint standing committees as in Standing Order 5a and any Advisory Committee and/or Sub-Committee[s] as may be necessary, and:

- i. shall determine their terms of reference.
- ii. shall, subject to standing orders 5a above, determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of full Council.
- iii. shall, subject to standing orders 5b, 5c and 5d above, appoint the Members of such a committee for the year until the next annual meeting.
- iv. shall, after it has appointed the Members of a standing committee and sub-committees, appoint the Chair of the committee.
- v. shall establish when they shall report back and to which meeting of the Council.
- vi. may dissolve a committee.

## 6 Meetings Procedure

- a. Unless the Council determines otherwise, all meetings of the Council, its committees and sub-committees will be held in the Council offices and commence at 7pm. **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**
- b. Working group meetings may be held at other times and places as agreed by Members of the working group.
- c. The Chair of the Council and the Chairs of a Committee on the advice of the Proper Officer may conduct the Council or Committee meeting virtually using appropriate software, having first ensured that such software is generally available free of charge to Councillors. Such meetings will be recorded and published on the Council's website. Meetings may be 'hybrid' if allowed by legislation i.e., in a mix of face-to-face and virtual, providing that all Members of the Council and any members of the public can be part of the meeting. The Chairs of virtual meetings will ensure equality of access to the meeting as in Standing Order 8.
- d. The usual notice for a notice of a meeting will be three clear days. Notice will be sent to all Councillors, any non-Councillors who are members of the Committee or Sub-Committee and posted on the Council's notice board and website. To avoid 'drip-feeding' of papers and meeting confusion the notice of a meeting shall normally include all papers, reports, etc, that are to be considered at the meeting, but late papers shall be included in a complete set of papers to be sent out, electronically one clear day before the meeting.
- e. **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Saturday, 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.** (For the avoidance of doubt: for a meeting on a Wednesday, Notice is therefore normally required to be issued the previous Thursday; should there be an intervening day of the Christmas break, a day of the Easter break, a bank holiday or a day appointed for public thanksgiving or mourning, then notice would be required to be issued the previous Wednesday).  
Notice will be sent to all Councillors, any non-Councillors who are members of a Committee, Sub-Committee, or working party, and shall be posted on the Council's notice board and website.
  - i. Late Papers. The notice of a meeting shall normally include all papers, reports, etc, that are to be considered at the meeting. On exception when papers are not available, the agenda item in the notice of meeting will be annotated 'papers to follow'. Such late papers should be sent to the office no later than Monday lunchtime for a Wednesday meeting (ie 36 hours minimum before a meeting. The Chair and the Clerk will jointly determine whether any late paper may/may not be considered. The late papers may then be issued as a complete set at least 1 clear day before the meeting. Late papers can only be considered for agenda items on the notice of meeting; they cannot introduce new items/subjects.

- f. **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice.**
- g. Members of the public and press are permitted to attend all meetings of the Council, committees and sub-committees of the Council. **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.**
- h. 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 business on the agenda, and any other local matters that they wish to raise, in a specifically allocated time on the agenda. The Council or Committee may vote on Standing Order 2k[vi] for the matter to be taken at other times in the meeting, to facilitate discussion.
- i. The period of time designated for public participation at a meeting in accordance with standing order 6f shall not exceed twenty minutes unless directed by the Chair of the meeting.
- j. Subject to standing order 6g, a single Member of the public shall not speak for more than three minutes.
- k. A Member may ask the Chairman of the Council or the Clerk any question concerning the business of the Council. Supplementary questions may be put.
- l. In accordance with standing orders 2k[v] and 2k[xiii], a question shall not require a response at the meeting nor start a debate on the question. A person to whom a question has been put may decline to answer immediately but after doing so must present a written response within five working days of the question being put.
- m. A person shall raise his hand when requesting to speak and remain seated when speaking
- n. A person who speaks at a meeting shall direct his comments to the Chair of the meeting.
- o. Only one person is permitted to speak at a time. If more than one person wants to speak, the Chair of the meeting shall direct the order of speaking.
- p. **Subject to standing order 6(q), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To "report" means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later of to report or to provide oral or written commentary about the meeting takes place or later to persons not present.**
- q. **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
- r. **The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**
- s. **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair of the Council may in his absence be done by, to or before the Vice-Chair of the Council**
- t. **The Chair, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair (if there is one), if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.**
- u. **Subject to a meeting being quorate, all questions, motions and decisions at a meeting shall be decided by a majority of the Councillors and non-Councillors with voting rights present and voting.**
- v. **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 their casting vote whether or not he/she/they gave an original vote.** Standing orders 2h and 2i above show the different rules that apply in the election of the Chair of the Council at the annual meeting of the Council.

- w. **Unless standing orders provide otherwise, voting on a 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.
- x. The minutes of a meeting shall include an accurate record of the following:
  - i. the time and place of the meeting.
  - ii. the names of Councillors present and those apologising for absence.
  - iii. interests that have been declared by Councillors and non-Councillors with voting rights.
  - iv. whether a Councillor or non-Councillor with voting rights left the meeting when matters that they held interests in were being considered.
  - v. if there was a public participation session.
  - vi. the resolutions made. and
  - vii. the result of a recorded vote, where this is required under Standing Order 6u
- y. **A Councillor or a non-Councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.**
- z. **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 three.**
- aa. **If a meeting is or becomes inquorate no business shall be transacted** and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.
- bb. A meeting shall not exceed a period of two hours, unless at any time during the meeting the Members present resolve by a majority of those voting, to extend the meeting for any reason, by 15 minute periods. The Chair of the meeting is entitled to a casting vote.
- cc. The Openness of Local Government Bodies Regulations 2014 provides that **a person may** not orally report or comment about a meeting as it takes place if the person is present at the meeting of the Council or its committees but otherwise may:
  - I. **film, photograph or make an audio recording of a meeting.**
  - II. **use any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later.**
  - III. **report or comment on the proceedings in writing during or after a meeting or orally report or comment after the meeting.**

## 7 Rules of Debate at Meetings

- a. A Councillor may place a proposal or recommendation on the agenda of the next meeting of the Council or committee by submitting it in writing with the names of the proposer and seconder or recommendation to the Clerk within six clear days of the meeting.
- b. Every proposal or recommendation shall be relevant to some subject over which the Council has power or duties, or which affects Southwell.
- c. The Clerk shall date every written notice of proposals or recommendation when received by them, 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 Members of the Council and the public.
- d. Motions on the agenda shall be considered in the order that they appear unless the order is changed with the agreement of the meeting.
- e. If the subject matter of a proposal 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. If the Chair considers it to be a matter of urgency, they may allow it to be dealt with at the meeting at which it was moved.



- f. A motion [including an amendment] shall not be progressed unless it has been moved and seconded.
- g. A motion on the agenda that is not moved by its proposer may be treated by the Chair of the meeting as withdrawn.
- h. 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.
- i. An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- j. If an amendment to the original motion is carried, the original motion becomes the substantive motion upon which further amendment[s] may be moved.
- k. An amendment shall not be considered unless early verbal notice of it is given during the discussion of the motion.
- l. 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.
- m. If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the Chair.
- n. Subject to standing order 7k above, only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chair of the meeting.
- o. One or more amendments may be discussed together if the Chair of the meeting considers this expedient, but each amendment shall be voted upon separately.
- p. A Councillor may not move more than one further amendment to an original or substantive motion.
- q. The mover of an amendment has the right of reply at the end of debate on it.
- r. Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply at the very end of debate on the final substantive motion immediately before it is put to the vote.
- s. Unless permitted by the Chair 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 since the Member last spoke.
  - ii. to make a point of order.
  - iii. to give a personal explanation; or
  - iv. in exercise of a right of reply.
- t. A point of order shall be decided by the Chair of the meeting and their decision shall be final.
- u. When a motion is under debate, no other motion shall be moved except those in Standing 4b:
- v. The contributions or speeches by a Councillor shall relate only to the motion under discussion or a motion under standing order 7u and shall not exceed three minutes without the consent of the Chair of the meeting.
- w. Before an original or substantive motion is put to the vote, the Chair 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 their right of reply.
- x. Any matter raised by a proposal by a Member or by a committee of the Council that, in the opinion of the Chair of the Council or the Chair of the Governance and Finance Committee has an impact of the finances, either positively or negatively, of the Council shall be referred to the Governance and Finance Committee for its recommendation to the Council, before it is enacted.

## 8 Conduct and dispensations

- a. No person shall obstruct the transaction of business, be offensive or act improperly at a meeting. The Chair shall request such person[s] to improve their conduct.

- b. If person[s] disregards the request of the Chair, any Councillor may move that the person be no longer heard or excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- c. If a resolution made under standing order 4b xiii above is ignored, the Chair of the meeting may temporarily suspend or move an amendment under 4b xvii to adjourn the meeting to a specified date and time under standing order 6.
- d. A Councillor not attending a committee meeting for six consecutive months shall only continue in office after a specific motion extending a leave of absence is approved, prior to the end of the six months absence.
- e. All Members with voting rights shall observe the code of conduct and adhere to policies adopted by the Council.
- f. Unless authorised by a resolution, no Councillor shall: Incur cost, issue orders, instructions or directions on behalf of the Council.
- g. 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 report this to the Council.
- i. **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 action to take. Such action excludes disqualification or suspension from office.**
- h. Upon receipt of a complaint relating to the Proper Officer, the Proper Officer shall notify the Council Chair and the Chair shall nominate another staff Member to assume the duties of the Proper Officer until it has been determined and the Council has agreed what action to take.
- i. The Council may:
  - i. provide information or evidence to progress an investigation of the complaint or as required by law.
  - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter.
- j. Unless they have been granted a dispensation, Members with voting rights shall withdraw from a meeting when it is considering a matter in which they have a pecuniary interest or other interest set out in the Councils code of conduct. They may return to the meeting after the matter has considered.
- k. **Dispensation requests shall be in writing and submitted to the Proper Officer** before the meeting or requested verbally at the start of the meeting for which the dispensation is required.
- l. A decision to grant a dispensation shall be made by the Proper Officer, that decision is final.
- m. A dispensation request shall confirm:
  - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates.
  - ii. whether the dispensation is required to participate in a discussion only or a discussion and a vote.
  - iii. the date of the meeting or the period for which the dispensation is sought
  - iv. and the reason why the dispensation was granted.
- n. **A dispensation may be granted in accordance with standing order 8(l) if having regard to all relevant circumstances, any of the following apply:**
  - i. **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.**
  - ii. **granting the dispensation is in the interests of persons living in the Council's area.**
  - iii. **it is otherwise appropriate to grant a dispensation.**

## 9 Previous Resolutions

- a. A resolution of the Council shall not be reversed within six months except by a special motion. This requires written notice by at least three Councillors to be given to the Proper Officer in accordance with standing order 4.
- b. A delegated decision by a committee can be reversed or negated by a minimum of five Councillors and the decision or report referred to the next meeting of the Council. This must be sent to the Clerk of the Council within three days of the delivery of the minutes of the committee or sub-committee.
- c. When a motion moved pursuant to standing order 7 has been disposed of, no similar motion may be moved within a further six months.

## 10 Voting on appointments

- a. Where more than two persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the Chair of the meeting.

## 11 Handling confidential or sensitive information

- a. The agenda or papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential or sensitive information. The agenda shall refer to a motion under Standing Order 11[b]. This shall be voted on by the Council. If this motion agreed, separate confidential minutes shall be circulated to Councillors and shall be treated as such.
- b. Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.

## 12 Draft minutes

- a. Draft minutes of a meeting of the Council, committee and sub-committee shall be circulated to Councillors and published within seven working days of the meeting, unless an extension to this time is agreed by the Chair of the Council and the relevant Committee.
- b. If the draft minutes of a preceding meeting have been served on Councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- c. There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 4b i above.
- d. The accuracy of draft minutes, including any amendment[s] made to them, shall be confirmed by resolution and shall be signed by the Chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- e. If the Chair of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, the Chair shall sign the minutes and include a paragraph in the following terms or to the same effect:  
“The Chair of this meeting does not believe that the minutes of the meeting of the [ ] held on [date] in respect of [ ] were a correct record but his view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”
- f. **Upon a resolution which confirms the accuracy of the minutes of a meeting, the notes of the meeting for which approved minutes exist shall be destroyed**

## 13 Proper Officer

- a. The Proper Officer shall be either [i] the Clerk or [ii] other staff Member[s] nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.
- b. The Proper Officer shall:
  - i. **at least three clear days before a meeting of the Council, a committee, sub-committee and working or task and finish group, serve on Councillors by delivery or post at their residences or by email authenticated in such a manner as the Proper Officer thinks fit, a signed summons, confirming the time, place and the agenda (provided the councillor has consented to service by email) and** [See standing order 6e for the meaning of clear days for a meeting of the full Council and meetings of a committee.]
  - ii. **Provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them** [See standing order 6e for the meaning of clear days for a meeting of the full Council and meetings of a committee];
  - iii. subject to standing order 4, include on the agenda all motions in the order received unless a Councillor has given written notice at least three days before the meeting confirming his withdrawal of it.
  - iv. **convene a meeting of Council for the election of a new Chair of the Council, occasioned by a casual vacancy in his office.**
  - v. **facilitate inspection of the minute book by local government electors.**
  - vi. **receive and retain copies of byelaws made by other local authorities.**
  - vii. retain acceptance of office forms from Councillors.
  - viii. retain a copy of every Councillor's register of interests.
  - ix. assist with responding to requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council's policies and procedures relating to the same.
  - x. facilitate and support the inspection of documents, held by the Council, by Councillors
  - xi. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
  - xii. manage the organisation, storage of, access to and destruction of information held by the Council in paper and electronic form.
  - xiii. arrange for legal deeds to be executed; see also standing order 19.
  - xiv. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations.
  - xv. record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose.
  - xvi. refer a planning application received by the Council to the Chair or in their absence the Vice-Chair of the Council and the Chair or in their absence Vice-Chair of the Planning Committee within two working days of receipt, to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of Planning committee.
  - xvii. manage access to information about the Council via the publication scheme; and retain custody of the seal of the Council [if any] which shall not be used without a resolution to that effect. See also standing order 19.

## 14 Responsible Financial Officer

The Council shall appoint a Responsible Financial Officer [RFO] and if required an appropriate staff Member[s] to undertake the work of the RFO when the RFO is absent.

## 15 Scheme of Delegation

The Council will maintain a Scheme of Delegation that determines the powers and extent of all decisions and financial matters that are delegated, with appropriate procedures and limits. For the avoidance of doubt, where there may be conflict between Terms of Reference of Committees, individuals, Finance Regulations, etc, the Scheme of Delegation will take precedence.

## 16 Accounts and Accounting Statements

- a. All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices [as defined in the most recent version of Governance and Accountability for Local Councils – a Practitioners’ Guide] and the Council’s financial regulations.
- b. The Responsible Financial Officer shall supply, as soon as practicable, after 30 June, 30 September and 31 December in each year a statement to each Councillor:
  - i. the Council’s detailed receipts and payments for that quarter and the year to date.
  - ii. the Council’s detailed current income and expenditure comparison with budget.
  - iii. a report explaining any variance with current the budget year to date.
  - iv a statement of the Council’s reserves, by classification, and movements of reserves.and which includes a comparison with the budget for that financial year, highlighting any actual or potential overspends.
- c. As soon as possible after the financial year end on 31 March, the Responsible Financial Officer shall provide:
  - i. each Councillor with a statement detailing the Council’s receipts and payments for the last quarter and the year to date; and
  - ii. to the full Council the accounting statements for the year in the form of Section 1 of the annual return, as required by proper practices, for approval.

The year-end accounting statements shall be prepared in accordance with proper practices [as defined in the most recent version of Governance and Accountability for Local Councils – a Practitioners’ Guide] and applying the form of accounts determined by the Council [receipts and payments, or income and expenditure] for a year to 31 March. A completed draft annual return shall be presented to each Councillor before the end of the following month of May. The annual return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to Council for consideration and formal approval before 30 June.

## 17 Financial Controls and Procurement

Financial Regulations shall be reviewed and approved annually by the Full Council. Financial Regulations form part of the Standing Orders of the Council and are appended to this document.

- a. The Council shall consider and approve Financial Regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
  - i. the Council’s receipts and payments for each quarter.
  - ii. the Council’s aggregate receipts and payments for the year to date.
  - iii. the balances held at the end of the quarter being reported and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.

- b. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds referred to in standing orders is subject to the “light touch” arrangements under Regulations 109-114 of the Public Contracts Regulations 2015 unless it proposes to use an existing list of approved suppliers (framework agreement).**
- c. **Where the value of a contract is likely to exceed the threshold specified by the Office of Government Commerce from time to time, the Council must consider whether the Public Contracts Regulations 2015 or the Utilities Contracts Regulations 2016 apply to the contract and, if either of those Regulations apply, the Council must comply with procurement rules. NALC’s procurement guidance contains further details.**

## **18 Human Resource Matters**

- a. A matter personal to a member of staff that is being considered by a meeting of Council or any committee of the Council is subject to standing order 11.
- a. The Human Resources Committee will deal with matters relating to the recruitment of staff and the staffing of the Council based on advice from the Clerk and Governance and Finance Committee. The Human Resources Committee will make recommendations to the Full Council on these matters for a decision by the Council.
- b. There will be a Staff Handbook drawn up by the Human Resources Committee in consultation with the staff and recommended to the Council for adoption on an annual basis.
- c. Subject to the Council’s policy regarding the handling of grievance matters, the Clerk shall contact the Chair of the Council or in the Chair’s absence, the Vice-Chair in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of Human Resources committee. Sufficient Members of the Council shall be asked by the Chair of the Committee to recuse themselves from the Committee’s discussion to allow sufficient Members of the Council to attend and chair any Grievance or Disciplinary Panels [usually 2 Members required for each]
- d. Subject to the Council’s policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by a Member of staff relates to the Chair or Vice-Chair of any committee or sub-committee, this shall be communicated to the Chair of the Council and shall be reported back and progressed by resolution of that committee or sub-committee.
- e. Subject to the Council’s policy regarding absences from work, the Clerk shall notify the Chair of the Council of absence occasioned by illness or other reason. That person shall report such absence to Council at its next meeting.
- f. The Chair of the Council, or in the Chair’s absence, the Vice-Chair of the Council, and the Chair of the Human Resources Committee shall review the Clerk’s annual appraisal of the work of the staff.
- g. The Chair or in the Chair’s absence, the Vice-Chair of the Human Resources Committee shall conduct a review of the performance and annual appraisal of the work of the Clerk. The reviews and appraisal, in writing, is subject to approval by a resolution of the Human Resources committee and shall be reported to the Council.
- h. Any persons responsible for all or part of the management of staff shall treat the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters as confidential to the Council and securely stored.
- i. The Council shall keep all written records relating to employees secure. All paper records shall be secured and locked. Electronic records shall be password protected and encrypted.
- j. Only persons with line management responsibilities and Members of the Council shall have access to staff records referred to in standing orders 18g and 18h.

- k. Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 19g and 19h shall be provided only to the Proper Officer, and the Chair of the Council and the Chair of the Human Resources committee.

## 19 Execution and sealing of legal deeds

- a. A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- b. **Subject to standing order 19a above, any two delegated Councillors may sign on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.**

Standing order 13 applies to this Order.

## 20 Requests for information

- a. **Requests for information held by the Council shall be handled in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000 and the Data Protection Act 1998.**
- b. **Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Chair of the Council.** Chair shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000.

## 21 Correspondence with the Press and Media

- a. Requests from the press or other media for a verbal or written comment or statement from the Council, its Councillors or staff shall be handled in accordance with the Council's policy in respect of dealing with the press and/or other media. Any responses shall be sent to all Councillors at the same time

## 22 Communicating with District and County Councillors

- a. An invitation to attend a meeting of the Council shall be sent to the Southwell ward Councillors of the District and the Southwell division Councillor of the County Council. The invitation will include a request to submit a written briefing for the Council, to be included in the Council's agenda. The agenda for each Council meeting shall be sent to the Southwell ward Councillors of the District and Southwell division Councillor of the County Council.
- b. Unless the Council determines otherwise, a copy of each letter sent to the District and County Council will be sent to the ward and division Councillors representing the area of the Council.

## 23 Restrictions on Councillor Activities

- a. Unless authorised by a resolution, no Councillor shall:
  - i. inspect any land and/or premises which the Council has a right or duty to inspect.
  - ii. or issue orders, contracts, instructions or directions.
  - iii. No Councillor other than a Chair shall act as a spokesperson for the Council, the Chair representing the Council or Committee shall only speak on matters that have been

agreed by the Council or Committee which they represent unless so authorised by the Council

## 24 Southwell Town Council's Policies

- a. The Council will list its current Policies and their Review Date as an Appendix to this document and will be reviewed annually, and form an integral part of the Council's Standing Orders

## 25 Code of Conduct Complaints

- a. Upon notification by the District Council that it has received or the receipt by the Proper Officer of an allegation 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 13 above, report this to the Council.
- b. Where the notification in standing order 15a relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chair of Council of this fact. The Chair 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 8.
- c. The Council will:
  - i. provide information or evidence where such disclosure is necessary, to progress an investigation of the complaint or is required by law.
  - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter.
  - iii. **Upon notification by the District or Unitary Council that a Councillor or non-Councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.**

## 26 Responsibilities to Provide Information

- a. **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**
- b. *[if gross annual income or expenditure (whichever is the higher) exceeds £200,000]* **The Council shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.**

## 27 Responsibilities Under Data Protection Legislation

(below is not an exclusive list)

- a. **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.**
- b. **The Council shall have a written policy in place for responding to and managing a personal data breach.**
- c. **The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.**
- d. **The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.**
- e. **The Council shall maintain a written record of its processing activities.**



## 28 Definitions

- a The following definitions are provided to assist interpretation of these Standing Orders by the Chair of the Council

<b>Chair</b>	The Chair conducts the meeting and must be elected annually by the Annual Meeting of the Council,
<b>Vice-Chair</b>	Deputises for the Chair in line with rules in the Standing Orders
<b>Clerk to the Council</b>	The normal title for the Council's Proper Officer.
<b>Proper Officer</b>	The officer of the Council who runs the Council. The Proper Officer may have some powers allocated to them as shown in the Council's rules.
<b>Responsible Financial Officer</b>	Also referred to as the RFO. The RFO deals with the finances in according to the law and the rules of the Council
<b>Standing Orders,</b>	The rules of the Council. [These should be reviewed every year.]
<b>Council</b>	Some of the rules are laid down in law and cannot be altered. The properly conducted meeting of the Councillors elected or co-opted onto the Council and its policies
<b>Committee</b>	A properly conducted meeting of the Councillors as shown in the rules. A committee will have specific duties as defined by the Council's Terms of Reference for the Committee. Any Member of the Council can attend and speak but may not vote.
<b>Standing Committee</b>	An alternative name for a Committee
<b>Sub-Committee</b>	A properly conducted meeting of the nominated Councillors with specific duties and terms of Reference as defined by the establishing Committee, but any Member of the Council can attend and speak.
<b>Working Group</b>	A meeting convened by a nominated Councillor with a specific task and reporting date to the Council or establishing Committee
<b>Annual Meeting</b>	The meeting of the Council as defined in the rules. It must be held annually in May
<b>Ordinary Meeting</b>	A properly called meeting of the Council as defined in the rules on the third Wednesday of the month except in August and December
<b>Extraordinary Meeting</b>	Other meetings of the Council or Standing Committee as defined above
<b>'days'</b>	A period of time between 08h00 and 17h00 used for example in the timing of sending in motions and sending out agendas and minutes of the meetings
<b>'Working days'</b>	Days between Monday and Friday. It excludes days of the Christmas break, Easter break, bank holidays or days appointed for public thanksgiving or mourning.
<b>'clear days'</b>	An alternative term for 'working days'

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