



BOGNOR REGIS TOWN COUNCIL STANDING ORDERS

Adopted by the Council at its Meeting held on 2nd July 2018

BOGNOR REGIS TOWN COUNCIL

STANDING ORDERS

A town council is generally not required by law to make Standing Orders which regulate how they conduct their business. However, the basic provisions in the 1972 Local Government Act (and other legislation) are insufficient for the majority of town councils and Standing Orders are therefore necessary for regulating the practical arrangements to give effect to statutory requirements.

These Standing orders were originally adopted by Council on 4th February 2015 and replaced all previous versions. This latest version was adopted on 2nd July 2018. They have been updated to reflect good practice, amendments to the Local Government Act 1972 and the Public Bodies (Admission to Meetings) Act 1960, the provisions of the Localism Act 2011 and the Openness of Local Government Bodies Regulations 2014, the General Data Protection regulation (GDPR) and the Data Protection Act 2018.

Any part of the Standing Orders printed in **bold type** may not be suspended by resolution under Standing Order 41.

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1.0 MEETINGS OF THE COUNCIL

1.1 Meetings of the Council shall normally be held in the Council Chamber of the Town Council at 6.30 p.m. on Monday every two months after the Statutory Annual Meeting of the Council or, if this is a Public Holiday, on the Tuesday after (the next day) or the following Monday, as the Town Mayor shall determine in consultation with the Clerk. The 6.30 p.m. start shall normally also apply to Council Committees where possible.

1.2 All meetings must conclude within two hours of starting, except the Community Engagement and Environment Committee which may be extended to two and a half hours. This time limit may be extended for any meeting by a maximum of 15 minutes for the conclusion of urgent business. Any business not completed within the set time frame would need to be referred to the next meeting.

1.3 Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.

1.4 All meetings are subject to the Council's Smoke Free Policy.

1.5 The Statutory Annual Meeting (a) in an election year shall be held on the Monday next following the fourth day after the ordinary day of elections to the Council (unless that is a Public Holiday in which case it shall be held on either the next day (Tuesday) or on the following Monday) and (b) in a year which is not an election year shall be held on the second Monday in May.

1.6 Additional meetings shall be held as required by the Town Council. The Mayor (or Deputy Mayor in the Mayor's absence) may convene an extraordinary meeting at any time. Any two Members may convene an extraordinary meeting, having previously requisitioned the Mayor and received a refusal or where the Mayor has omitted to call such a meeting within seven days of requisition.

1.7 All Members are requested to give consideration to their attire when attending Council meetings including the Annual Town Council Meeting and dress appropriately.

2.0 MAYOR OR CHAIRMAN OF MEETING

2.1 The Mayor will preside at the Council meeting if present. In the Mayor's absence, the Deputy Mayor will preside. If both the Mayor and deputy Mayor are absent, the Council will elect a chairman from amongst the Councillors present.

2.2 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.

2.3 The Mayor, unless he has resigned or becomes disqualified, shall hold office until immediately after the election of the Mayor at the next meeting of the Council. The Deputy Mayor, unless (s)he resigns or becomes disqualified, shall hold office until immediately after the election of the Mayor at the next annual meeting of the Council. (See also Standing Order 8.2)

2.4 In an election year, if the current Mayor has not been re-elected as a member of the Council, (s)he shall preside at the meeting until a successor Mayor has been elected. The current Mayor shall not have an original vote in respect of the election of the new Mayor but must give a casting vote in the case of an equality of votes.

2.5 In an election year, if the current Mayor has been re-elected as a member of the Council, (s)he shall preside at the meeting until a successor Mayor has been elected. (S)he may exercise an original vote in respect of the election of the new Mayor and must give a casting vote in the case of an equality of votes.

2.6 It is a convention of the Council that the Deputy Mayor in any year shall, unless he/she resigns, becomes disqualified or is not re-elected as a councillor, be put forward by the Mayoralty Selection Committee as Mayor for the following year.

The Mayoralty Selection Committee will also recommend a councillor to become the new Deputy Mayor for the following year.

2.7 In these Standing Orders the expression "Mayor" means the Chairman of the Council. The person presiding at a meeting may exercise all the powers and duties of the Mayor (Chairman) in relation to the conduct of the Meeting.

3.0 PROPER OFFICER

3.1 The Council's Proper Officer shall be the Town Clerk or such other employee appointed by the Council to undertake the role of the Proper Officer during the Town Clerk's absence. The Town Clerk and the employee appointed to act as such during the Proper Officer's absence shall fulfil the following (mandatory) duties assigned to the Proper Officer in standing orders.

3.2 Sign and serve on councillors by delivery or post at their residences or by email authenticated in such a manner as the Proper Officer thinks fit, (provided the councillor has consented to service by email) a summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee and sub-committee at least 3 clear days before the meeting.

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 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.

3.3 Give public notice of the time, date, venue and agenda at least 3 clear days before a meeting of the Council or a meeting of a committee or a sub-committee, provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them.

The minimum three clear days' public notice of a meeting does not include the day on which the notice was issued or the day of the meeting.

3.4 Convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his/her office.

3.5 Receive and retain copies of bylaws made by other local authorities.

3.6 To certify copies of bylaws made by the Town Council.

3.7 To receive and retain declarations of acceptance of office from councillors.

3.8 To forward a copy of each Member's Declaration of Interests and any changes to it, to the Monitoring Officer. To retain a copy and any changes to it and to keep available for inspection **and displayed on the Council's Website.**

3.9 To record declarations of Ordinary interests and Disclosable Pecuniary interests, declared at the meeting, in accordance with the Councillors' Code of Conduct.

3.10 To receive and retain plans, documents, notices & general correspondence on behalf of the Council.

3.11 To send general correspondence and notices, on behalf of the Council except where there is a regulation to the contrary. **To sign notices or other documents on behalf of the Council.** To retain custody of the seal of the council (if any), which shall not be used without a resolution to that effect. (see Standing Order 19.2)

3.12 To keep proper records for all Council meetings and make available for inspection. The minutes are not a verbatim record of debate at a meeting but must accurately reflect the resolutions made and record voting if this is requested by a Member at that meeting. (See also Standing Orders 6 & 7)

3.13 Subject to standing order 9 below, include on the agenda all motions in the order received unless a councillor has given written notice at least (3) days before the meeting confirming his withdrawal of it;

3.14 To process any communications or requests under the Freedom of Information Act 2000 and Data Protection Act 1998. (see Standing Order 39)

3.15 To manage the organisation, storage of, access to and destruction of information held by the Council in paper and electronic form.

3.16 To action or undertake activity or responsibilities instructed by resolution or contained in Standing Orders.

3.17 The Clerk shall also have the authority and duties given to him/her under any Scheme of Delegation.

In the case of genuine urgency, the Clerk has delegated authority to take action to resolve or alleviate the situation, within the legal authority and resources of the Authority, after consultation with the Mayor and Deputy Mayor or in their absence any two committee chairmen.

4.0 RESPONSIBLE FINANCIAL OFFICER

4.1. The Responsible Financial Officer (R.F.O.) of the Council shall usually be the Town Clerk but can be another permanent or temporary officer of the Council upon a resolution of Council and stated in the Financial Regulations. The Town Clerk and other officers of the Council shall have the authority and duties given to them under the Council's Scheme of Delegation.

4.2 The duties of the R.F.O. shall be set out in the Financial Regulations.

5.0 QUORUM

5.1 No business of the Council shall be transacted unless at least six Members of the Council are present.

5.2 If, at the expiration of fifteen minutes after the time at which any meeting of the Council is appointed to be held, the Town Clerk after counting the number of Members present, announces that a quorum is not present then no meeting shall take place.

5.3 If during a meeting the number of councillors present (not counting those debarred by reason of a declared Disclosable Pecuniary interest) falls below the required quorum, the Mayor shall adjourn the meeting of the Council and the names of those who are present and those who are absent shall be recorded by the Town Clerk in the Minutes of the Council. Consideration of any business not transacted shall be given at the next ordinary meeting of the Council or on such other day as the Chairman may fix.

6.0 VOTING AT COUNCIL

6.1 Subject to a meeting being quorate, all matters at a meeting shall be decided by a majority of the councillors or non-councillors with voting rights present and voting.

6.2 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 (see Standing Order 25).

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

6.4 If a member so requires, the Clerk shall record the names of the members who voted on any question so as to show whether they voted for or against it.

6.5 (i) Subject to (ii) and (iii) below, the Town Mayor may give an original vote on any matter put to the vote, and in the case of an equality of votes may give a casting vote even though (s)he gave no original vote.

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

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

7.0 RECORDING OF MEETINGS

7.1. 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 absent and the reason for absence if given by the councillor in advance;
- 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 numbered consecutively; and
- vii. When decisions are made to incur expenditure, the power under which the action is to be taken. If the Council adopts the General Power of Competence, this need not be stated. (see also SO 39, General Power as first resort)

7.2. Decisions made by officers under delegated authority, which would otherwise be taken by Council, committee or sub-committee must be recorded in writing and reported to the next Council meeting.

Records of such decisions and any background papers are to be available for public inspection for a period of 6 years unless information is exempt for reasons of confidentiality.

7.3. The written record must include:

- date of the decision
- details of the decision and reasons for it
- if the authority was delegated under a specific express authority, the names of any councillor who declared a conflict of interest.

8.0 ORDER OF BUSINESS

8.1 In an election year, councillors should execute Declarations of Acceptance of Office in the presence of a Proper Officer (or Mayor in the absence of the Proper Officer) previously authorised by the Council to take such declaration, before the annual meeting commences.

8.2 At each Annual Meeting the first business shall be (where appropriate)

- (i) To elect a Town Mayor.**
- (ii) To receive the Town Mayor's declaration of acceptance of office or, if not then received, to decide when it shall be received.**
- (iii) To elect a Deputy Town Mayor.
- (iv) To receive the Deputy Mayor's declaration of acceptance of Office or, if not then received, to decide when it shall be received.
- (v) To receive apologies for absence and reasons for absence
- (vi) To read and consider the Minutes of the last meeting of Council and to receive the Minutes of the Committees and Sub-Committees provided that if a copy has been circulated to each member not later than the day of issue of the summons to attend the meeting, the Minutes may be taken as read.
- (vii) After consideration to approve the signature of the Minutes by the person presiding as a correct record.**
- (viii) To receive any declarations of interest or dispensations
- (ix) In the ordinary year of election of the Council, to decide how to fill any vacancies left unfilled at the election by reason of insufficient nominations.**
- (x) To decide when any declarations of acceptance of office which have not been received as provided by law shall be received.**
- (xi) To consider continued eligibility to exercise the General Power of Competence (if appropriate)**

8.3 After the first business has been completed, the order of business at the annual meeting of Council, unless the Council otherwise decides on the grounds of urgency or expediency, shall be as set out below (if appropriate).

- (i) To receive such communications as the Mayor may wish to bring before the Council.

- (ii) **To deal with business expressly required by statute to be done.**
- (iii) **To dispose of business, if any, remaining from the last meeting.**
- (iv) To review terms of reference and any delegation arrangement to committees and sub-committees.
- (v) To appoint statutory or standing committees as may be required by the Town Council, make nominations to them and to appoint Chairmen and Vice Chairmen.
- (vi) To appoint representatives to outside bodies.
- (vii) To review any governance documents, policies, procedures and insurances as necessary.
- (viii) To agree the annual calendar of standing Council & committee meetings.
- (ix) Public participation (see Standing Order 31.7)
- (x) To answer questions from Councillors.
- (vii) **To receive and consider reports and minutes of committees and determine any recommendations.**
- (viii) To receive and consider reports from officers of the Council.
- (ix) To authorise the sealing of documents.
- (x) To authorise the signing of orders of payment where this is not delegated to the Policy and Resources Committee.
- (xi) To consider the payment of any subscriptions falling to be paid annually.
- (xii) To inspect any deeds and trust instruments in the custody of the council.
- (xiii) To consider motions or recommendations in the order in which they have been notified.
- (xiv) Any other business specified in the summons.
- (xiii) Any other urgent business that the Town Mayor has agreed, prior to the meeting commencing, can be raised although such item will not be included in the summons to the meeting. No items falling within the purview of Standing Order 27.1 will be permitted. (See also Standing Orders 36.2 & 36.3)

8.4 At every meeting other than the Annual Meeting, the first business shall be to appoint a Chairman if the Mayor and Deputy Mayor are absent and to receive such declarations of acceptance of office outstanding from the Annual Meeting. The business will where applicable, generally follow a similar order to the Annual Meeting. The Town Clerk may amend the order as necessary to facilitate the smooth transaction of business.

8.5 Any annual review of the pay and conditions of service of existing employees shall be undertaken by the Joint Consultative Sub-Committee - Staffing in accordance with the national pay negotiations. Any review outside of this shall be referred to Council for ratification.

8.6 A motion to vary the order of business on the ground of urgency may be proposed by the Town Mayor or by any member and, if proposed by the Town Mayor, may be put to the vote without being seconded, and shall be put to the vote without discussion.

9.0 RESOLUTIONS MOVED ON NOTICE

9.1 Except as provided by these Standing Orders, no resolution may be moved unless the business to which it relates has been put on the Agenda by the Clerk or the mover has given notice in writing of its terms and has delivered the notice to the Clerk at least six clear days not later than the Monday in the week before the next meeting of the Council.

9.2 The Clerk shall date every notice of resolution or recommendation when received by her/him, shall number each notice in the order in which it was received

and shall enter it in a book which shall be open to the inspection of every member of the Council.

9.3 The Clerk shall insert in the summons for every meeting all notices of motion or recommendation properly given in the order in which they have been received unless the member giving a notice of motion has stated in writing that (s)he intends to move at some later meeting or that (s)he withdraws it.

9.4 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.

9.5 If the subject matter of a resolution comes within the province of a committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to such committee or to such other committee as the Council may determine for report; provided that the Town Mayor, if (s)he considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.

9.6 Every resolution or recommendation shall be relevant to some subject over which the Council has power or which affects its area. If notice be given of any motion which in the opinion of the Town Clerk is out of order, illegal, irregular or improper, he/she shall forthwith submit such notice to the Mayor and shall not place it on the agenda without the approval of the Mayor. If the motion is not accepted the Town Clerk shall forthwith inform the Member or Members giving notice of it.

10.0 RESOLUTIONS MOVED WITHOUT NOTICE

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

- (i) To appoint a Chairman of the meeting.
- (ii) To correct the Minutes.
- (iii) To approve the Minutes.
- (iv) To alter the order of business.
- (v) To proceed to the next business.
- (vi) To close or adjourn the debate.
- (vii) To refer a matter to a committee.
- (viii) To appoint a committee or any members thereof.
- (ix) To adopt a report.
- (x) To authorise the sealing of documents.
- (xi) To amend a motion.
- (xii) To give leave to withdraw a resolution or an amendment.
- (xiii) To extend the time limit for speeches.
- (xiv) To exclude the public.
- (xv) To silence or eject from the meeting a member named for misconduct.
- (xvi) To give consent of the Council where such consent is required by these Standing Orders.
- (xvii) To suspend Standing Orders, except for those Standing Orders shown in emboldened type
- (xviii) To adjourn the meeting.

11.0 QUESTIONS

11.1 A member may ask the Town Mayor or a nominated Committee Chairman any question concerning the business of the Council, provided notice of the question has been given in writing to the Town Clerk by 9 a.m. on the Monday morning prior to the meeting.

11.2 No question not connected with business under discussion shall be asked except during the part of the meeting set aside for questions.

11.3 Every question shall be put by the Councillor who has submitted the question. This shall be read verbatim without any alteration from the originally submitted question. The question shall be answered by the person to whom it has been put without discussion.

11.4 A person to whom a question has been put may decline to answer or may indicate that they will reply in writing subsequent to the meeting.

12.0 RULES OF DEBATE

12.1 Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairman of the meeting.

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

12.3 A resolution 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 Town Mayor, be reduced to writing and handed to him/her before it is further discussed or put to the meeting.

12.4 A member when seconding a resolution or amendment may, if (s)he then declares his intention to do so, reserve her/his speech until a later period of the debate.

12.5 A member shall direct her/his speech to the question under discussion or to a personal explanation or to a point of order.

12.6 No speech by a mover or seconder of a resolution shall exceed three minutes, and no other speech shall exceed two minutes except by consent of the Council.

12.7 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.

An amendment shall not have the effect of negating the resolution before the Council.

12.8 If an amendment is carried, the resolution, as amended, shall take the place of the original resolution and shall become the resolution upon which any further amendment may be moved. If an amendment is rejected other amendments may be moved on the original resolution.

12.9 A further amendment shall not be moved until the Council has disposed of every amendment previously moved.

12.10 The mover of a resolution or of an amendment shall have a right of reply, not exceeding five minutes.

12.11 A member, other than the mover of a resolution, shall not, without leave of the Council, speak more than once on any resolution 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.

12.12 A member may rise to make a point of order or a personal explanation. A member rising for these purposes shall be heard forthwith. A personal explanation shall be confined to some material part of a former speech given by her/him that may have been misunderstood. A councillor raising a point of order shall identify the standing order which he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.

12.13 A motion or 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 permission has been asked for its withdrawal unless such permission has been refused.

12.14 When a resolution is under debate no other resolution shall be moved except the following: -

- (i) To amend a resolution.
- (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 further heard.
- (vi) That a member named do leave the meeting.
- (vii) That the resolution be referred to a committee.
- (viii) To exclude the public and press.
- (ix) To adjourn the meeting.
- (x) To suspend any Standing Order except those which are mandatory by law.

12.15 A member shall stand when speaking unless permitted by the Town Mayor to sit on account of infirmity.

12.16 The ruling of the Town Mayor on a point of order or on the admissibility of a personal explanation shall not be discussed.

12.17 Members shall address the Town Mayor.

12.18 If two or more members rise, the Town Mayor shall call upon one of them to speak and the others shall resume their seats.

12.19 Whenever the Town Mayor rises during a debate all other members shall be seated and silent.

12.20 At the end of any speech a member may, without any additional comment, move "that the question be now put", "that the debate be now adjourned" or "that the Council do now adjourn". If such motion is seconded the Town Mayor shall put the motion but, in the case of a motion "to put the question", only if (s)he is of the opinion that the question before the Council has been sufficiently debated. If the motion "that the question be now put" is carried, the Town Mayor shall call upon the mover to exercise or waive her/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. Where a meeting is adjourned the subsequent proceedings are part of the original meeting and no new notices or agendas need to be issued except a notification to members not present of the date of the continuation of the meeting.

13.0 DISORDERLY CONDUCT

13.1 No member shall at a meeting persistently disregard the ruling of the Town Mayor, wilfully obstruct business, or behave irregularly, offensively, improperly or in such a manner as to breach the Council's Code of Conduct or bring the Council in to disrepute.

13.2 If, in the opinion of the Town Mayor, a member has broken the provisions of Standing Order 13.1, the Town Mayor shall express that opinion to the Council and thereafter any member may move that the member named no longer be heard or that the member named do leave the meeting, and the motion, if seconded shall be put forthwith and without discussion.

13.3 If either of the motions in Standing Order 13.2 is disobeyed, the Town Mayor may suspend the meeting or take such further steps as may reasonably be necessary to enforce them.

14.0 RIGHT OF REPLY

14.1 The mover of a resolution shall have a right to reply immediately before the resolution is put to the 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.

15.0 ALTERATION OF RESOLUTION

15.1 A member may, with the consent of his/her seconder, move amendments to his/her own resolution.

16.0 RESCISSION OF PREVIOUS RESOLUTION

16.1 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 FOUR members of the Council, or by a resolution moved in pursuance of the report or recommendation of a committee.

16.2 When a special resolution or any other resolution moved under the provision of Standing Order 16.1 has been disposed of, no similar resolution may be moved within a further six months.

17.0 VOTING ON APPOINTMENTS

17.1 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. A tie in votes may be settled by the casting vote exercisable by the chairman of the meeting.

18.0 DISCUSSIONS AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL

18.1 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 public shall be excluded.

19.0 SEALING OF DOCUMENTS

19.1 Custody of Seal

The Common Seal of the Council shall be kept in a safe place at the office of the Town Clerk.

19.2 Sealing of Documents

The Common Seal of the Council shall not be affixed to any document unless the sealing has been authorised by a resolution of the Council. **The seal shall alone be used for sealing a deed required by law. It shall be applied by the Town Clerk in the presence of two members of the Council who shall sign the deed as witnesses.** An entry of every sealing of a document shall be made and consecutively numbered in a book to be provided for the purpose and shall be signed by the Town Clerk.

20.0 COMMITTEES AND SUB-COMMITTEES

20.1 The Council may at its Annual Meeting appoint standing committees and may at any other time appoint such other committees as are necessary, but subject to any statutory provision in that behalf:

- (i) shall not appoint any member of a committee so as to hold office later than the next Annual Meeting,
- (ii) may at any time dissolve or alter the membership of a committee; and
- (iii) shall ensure that the political composition of, and the total number of places on, committees fairly and as accurately as possible reflects the political composition of the Full Council.

20.2 The Town Mayor and Deputy Town Mayor ex officio shall be members of the Policy & Resources.

20.3 The Council may appoint non-councillors as Members of any standing committee except Policy & Resources Committee but those members will not have voting rights.

20.4 Committee Chairmen and Vice-Chairmen shall be appointed at the Annual Meeting and they shall hold office until the next Annual Meeting of the Council and shall settle its programme of meetings for the year.

20.5 Each standing Committee shall operate according to the Terms of Reference set out for that Committee and these Terms of Reference shall not be altered except in accordance with procedures as set out in the Terms of Reference of the Policy and Resources Committee. The Policy and Resources Committee (or any Committee delegated to deal with the financial affairs of the Council) shall always be a standing committee. Otherwise, the Council shall always decide whether a Committee is a standing committee or otherwise at the point of a Committee's inception and may change its designation from time to time by a resolution of the Council. A committee that is not a standing committee may have its Terms of Reference agreed or varied by a Resolution of the Council agreed by a simple majority of members present and voting.

20.6 The Chairman of a committee may summon an additional meeting of that committee at any time. An additional meeting shall also be summoned on the requisition in writing of not less than a quarter of the members of the committee. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.

20.7 Every committee may appoint sub-committees for purposes to be specified by the committee and which shall be recorded in the minutes of the committee as the sub-committee's terms of reference. Every committee may also appoint working parties whose terms of reference shall be recorded in the minutes of the committee.

20.8 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.

20.9 Except where ordered by the Council in the case of a committee, or by the Council or by the appropriate committee in the case of a sub-committee, the quorum of a committee or sub-committee shall be not less than three members.

20.10 The Standing Orders on rules of debate (except those parts relating to standing and to speaking more than once) and the Standing Order on interests of members in contracts and other matters shall apply to committee and sub-committee meetings. With the agreement of the committee, the Chairman of each committee shall have discretion as to whether members may speak on a subject more than once and as to how many times.

21.0 ADVISORY COMMITTEES

21.1 The Council may appoint from time to time advisory committees, whose name, and number of members, and the bodies to be invited to nominate members shall be as resolved by the Council.

21.2 The Clerk shall inform the members of each advisory committee of the terms of reference of the advisory committee as resolved by the Council.

21.3 An advisory committee may make recommendations to the Council or to one of its Committees and give notice thereof to the Council or Committees.

21.4 An advisory committee may consist wholly of persons who are not members of the Council.

22.0 VOTING IN COMMITTEES

22.1 All questions in Standing Committees, Standing Sub-Committees and Working Parties shall be determined by show of hands by a majority of the Members present and **at the request of a Member, the Town Clerk shall record in the report of such Committees, Sub-Committees or Working Parties whether or not he/she voted for or against or abstained from voting on any particular motion.**

22.2 In the case of an equality of votes at any meeting of a Standing Committee, Standing Sub-Committee and Working Party the presiding Chairman whether or not he/she voted in the first instance may give a casting vote.

22.3 Non-Councillors are not empowered to vote when appointed to Standing Committees and Standing Sub-Committees unless such Standing Committees and

Standing Sub-Committees have been formally resolved as being Advisory within the terms of the Local Government and Housing Act 1989.

23.0 PRESENCE OF NON-MEMBERS OF COMMITTEES AT COMMITTEE MEETINGS

23.1 A member who has proposed a resolution that has been referred to any committee, of which (s)he is not a member, may explain her/his resolution to the committee but shall not vote.

24.0 FINANCIAL PROCEDURES AND REGULATIONS

24.1 The Council shall consider and approve financial regulations drawn up by Policy & Resources Committee on the advice of the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:

- i. the keeping of accounting records and systems of internal controls;
- ii. the assessment and management of financial risks faced by the council;
- iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
- iv. the inspection and copying by councillors and local electors of the council's accounts and/or orders of payments; and
- v. procurement policies including the setting of values for different procedures where a contract has an estimated value of less than £25,000.

24.2 Financial Regulations shall be reviewed regularly and at least annually for fitness of purpose.

24.3 Orders for the payment of money shall be authorised by resolution of the Council and signed by two members, from a minimum of four Members nominated by Council at the start of the four-year cycle but reviewed annually.

25.0 INTERESTS & CODE OF CONDUCT

25.1 All councillors and non-councillors with voting rights shall observe the Code of Conduct adopted by the Council. All councillors shall undertake training in the code of conduct within 6 months of the delivery of their acceptance of office.

25.2 If a member has a Disclosable Pecuniary interest, or Ordinary Interest as defined by the Code of Conduct currently adopted by the Council, then he/she shall declare such interest as soon as it becomes apparent, disclosing the nature and extent of that interest as required. All interests declared at a meeting must be recorded in the Minutes.

25.3 If a member has declared a Disclosable Pecuniary interest, he/she must withdraw from the meeting during consideration of the item to which the interest relates. If the member has been granted a dispensation by the Council, he/she must still declare the interest but may take part in the discussion and vote.

25.4 Councillors must, in accordance with the Code of Conduct currently adopted by the Council, register in Arun District Council's Register of Councillors' Interests details of their Disclosable Pecuniary Interests by completing the appropriate form and delivering this to the Town Clerk, who will forward it to the Monitoring Officer.

25.5 Councillors must keep their registered interests up to date by completing the appropriate form and delivering this to the Town Clerk, who will forward it to the Monitoring Officer. The Town Clerk will additionally send out forms prior to the Annual Town Council meeting each year, to give members the opportunity to update their interests in the Register.

25.6 The Town Clerk shall hold a copy of the Register of Member's Disclosable Pecuniary Interests in accordance with the Councillors' Code of Conduct and ensure it is displayed on the Town Council's Website (or have a direct link to Arun District Council's Website).

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

25.8 A decision as to whether to grant a dispensation shall be made by a meeting of the Council, or by the Proper Officer in accordance with the Council's Scheme of Delegation and that decision is final.

25.9 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 at a meeting in a discussion only or a discussion and a vote;**
- iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and**
- iv. an explanation as to why the dispensation is sought.**

25.10 A dispensation may be granted in accordance with standing order 25.8 above if having regard to all relevant circumstances the following applies:

- 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 or**
- ii. granting the dispensation is in the interests of persons living in the council's area or**
- iii. it is otherwise appropriate to grant a dispensation.**

25.11 The Town Clerk shall also keep a copy of all dispensations granted by the Council.

25.12 Upon notification by the Arun District Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Town Council's code of conduct, the Proper Officer shall report this to the Council.

25.13 Where the notification in standing order 25.12 above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of Council of this fact, and the Chairman shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the council has agreed what action, if any, to take in accordance with standing order 25.15 below.

25.14 The Council may:

- 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.

25.15 Upon notification by the District Council that a councillor or non-councillor with voting rights has breached the council's code of conduct, the council shall consider what, if any, action to take against him, based on the recommendations of the Monitoring Officer or District Council's Standards Committee. Such action excludes disqualification or suspension from office.

26.0 CANDIDATES

26.1 If a candidate for any appointment under the Council is to her/his knowledge related to any member of or the holder of any office under the Council, (s)he and person to whom (s)he is related shall disclose the relationship in writing to the Clerk. A candidate who fails to do so shall be disqualified for such appointment, and, if appointed, may be dismissed without notice. The Clerk shall report to the Council or to the appropriate committee any such disclosure.

26.2 The Clerk shall make known the purport of Standing Order 26.1 to every candidate.

27.0 RESOLUTIONS ON EXPENDITURE AND DELEGATION

27.1 Any resolution which is moved otherwise than in pursuance of a recommendation of the Policy and Resources Committee or of another committee after recommendation by the Policy and Resources Committee and which, if carried, would, in the opinion of the Chairman of the Policy and Resources Committee, substantially increase the expenditure upon any service which is under the management of the Council or reduce the revenue at the disposal of any committee, or which would involve capital expenditure, except when this impact is already accommodated in an approved budget shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council, and any committee affected by it shall consider whether it desires to report thereon and the Policy and Resources Committee shall report and make any appropriate recommendation on the financial aspect of the matter.

28.0 CANVASSING OF AND RECOMMENDATION BY MEMBERS

28.1 Canvassing of members of the Council or of any committee, directly or indirectly, for any remunerated appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make known the purport of this Standing Order to every candidate.

28.2 A member of the Council or of any committee shall not solicit for any person any remunerated appointment under the Council or recommend any person for such appointment or promotion; but, nevertheless, any such member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment, providing they are not part of the selection process.

By way of clarification, 28.1 and 28.2 above refer to appointments to the Council for employment or as councillors or members of committees and sub-committees, but do not apply to any person who is already a councillor, seeking internal or external appointments.

28.3 Standing Orders 26 & 28 shall apply to tenders as if the person making the tender were a candidate for an appointment.

29.0 INSPECTION OF DOCUMENTS

29.1 A Member of the Council may for purposes of his/her duty as such Member but not otherwise inspect any document which has been considered by a Committee or Sub-Committee or by the Council, and if copies are available shall on request be supplied for the like purposes with a copy of such document. Provided that a Member shall not knowingly inspect and shall not call for a copy of any document relating to a matter in which he is professionally interested or in which he has any disclosable pecuniary interest. This Standing Order shall not preclude the Town Clerk to the Council from declining to allow inspection of any document which is or in the event of legal proceedings would be protected by privilege arising from the relationship of solicitor and client.

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

30.0 UNAUTHORISED ACTIVITIES

30.1 No member of the Council or of any committee or sub-committee shall in the name of or on behalf of the Council inspect any lands or premises that the council has a right or duty to inspect; or issue orders, instructions or directions unless authorised to do so by the Council or the relevant committee or sub-committee. Neither shall any member (unless specifically authorised by Council) respond to official correspondence on behalf of the Council. All such correspondence must, at all times, be sent out by the executive officers of the Council.

30.2 No individual Member of the Council shall require the compilation of any information by Officers of the Council, or give instructions to any officer or workman, except in so far as the Town Mayor or committee Chairman is entitled to instruct the Town Clerk to include any item on a Council or committee agenda pertinent to the work of the Council or committee as appropriate and subject to such request conforming in all other respects with these Standing Orders.

30.3 Requests from the press or other media for an oral 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.

31.0 ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

31.1 The public shall be admitted to all meetings of the Council and its committees and sub-committees (but not working parties), that may, however, temporarily exclude the public by means of the following resolution: "That the Council/Committee resolve to exclude the press and public under the Public Bodies (Admission to Meetings) Act 1960, from the matters set out below on the grounds that it could involve the likely disclosure of private and confidential information or staff matters".

31.2 In all cases where this resolution is used the special reasons should be stated. If a person's advice or assistance is needed they may be invited (by name) to remain after the exclusion resolution is passed.

31.3 The Town Clerk shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present.

31.4 A person who attends a meeting may not orally report or comment about a meeting as it takes place without permission if present at a meeting of the

Council or committee or sub-committee, but otherwise may, whilst the meeting is open to the public:

- a. film, photograph or make an audio recording of the meeting;**
- b. use any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later;**
- c. report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.**

31.5. The Council will where possible facilitate such recording unless it is being disruptive. It will also take steps to ensure that children, the vulnerable and members of the public who object to being filmed are protected without undermining the broader purpose of the meeting.

31.6 If a member of the public interrupts the proceedings at any meeting, the Town Mayor may, after warning, order that that person be removed from the Council Chamber.

31.7 A period not exceeding fifteen minutes shall be allowed for all meetings of the Council at which members of the public can ask questions, provided that if there are insufficient questions to fill the fifteen minutes, the Council will commence business forthwith. Priority will be given to those who have submitted questions in writing in advance. Questioners must give their name before stating their question and may speak for up to a maximum of two minutes each or five minutes if speaking on behalf of a group or organisation. The meeting will be formally adjourned during such period. Similar arrangements will apply at Committees except the Community Engagement and Environment Committee.

31.8 A period not exceeding sixty minutes shall be allowed for meetings of the Community Engagement and Environment Committee only at which members of the public can ask questions, provided that if there are insufficient questions to fill the sixty minutes, the Committee will commence business forthwith. The meeting will be formally adjourned during such period.

31.9 Questions from the public to be answered only by the Chairman or relevant Councillor or Officer at the invitation of the Chairman with no input from the Members.

32.0 CONFIDENTIAL BUSINESS

32.1 No member of the Council or of any committee or sub-committee shall disclose to any person not a member of the Council any business declared to be confidential by the Council, the committee or the sub-committee as the case may be either verbally, electronically or by passing on any confidential document.

32.2 Any member in breach of Standing Order 32.1 may be removed from any committee or sub-committee of the Council by the Council for a period of time to be determined by the Council, and shall be excluded from the confidential part of any meeting of the Council and may also be in breach of the Members Code of Conduct.

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

33.0 LIAISON WITH COUNTY AND DISTRICT COUNCILLORS

33.1 A notice of meetings shall be sent together with an invitation to attend the Council to the county councillor for the county divisions and to the district councillor or councillors for the district wards covered by the Town area.

33.2 Unless the Council determines otherwise, a copy of each letter sent to the District or County Council shall be sent to the ward councillor(s) representing the area of the council.

34.0 COMPLAINTS PROCEDURE

34.1 The Council shall deal with complaints made against it or against any officer or member in accordance with the Complaints Procedure adopted by the Council, except for those complaints which should be properly directed to the Monitoring Officer or to any other regulatory body listed in the Complaints Procedure for consideration.

35.0 INTERESTS OF OFFICERS IN CONTRACTS

35.1 The Town Clerk shall record in a book to be kept for the purpose, particulars of any notice given by an Officer of the Council under section 117 of the Local Government Act 1972, of a pecuniary interest in a contract and the book shall be open during office hours to the inspection of any Member of the Council.

35.2 The recording of a pecuniary interest shall also apply in respect of the spouse of the officer.

36.0 URGENT MATTERS AND ANY OTHER BUSINESS

36.1 A motion to vary the order of business on the ground of urgency may be proposed by the Chairman or by any member and, if proposed by the Chairman, may be put to the vote without being seconded and in any case shall be put to the vote without discussion.

36.2 If a matter of genuine unexpected urgency arises, it may at the discretion of the Chairman be treated as a matter of any other business. Any action necessary may be taken by the Clerk in conjunction with the Chairman and one other Councillor (see Standing Order 3 above).

36.3 It is not good practice to regularly have "any other business" as an agenda item, but if members' choose to do so, this item can be used to impart or exchange urgent information which has arisen since the agenda was sent to members. No decision may be made on an item of business raised in this way.

36.4 The Town Clerk, in consultation with the Chairmen and Vice Chairmen of appropriate committees, shall take action deemed desirable on any matters for which the committee concerned have delegated powers but which require urgent action.

37.0 EXPENDITURE

37.1 Any expenditure incurred by the Council shall be in accordance with the Council's Financial Regulations. **The Council's financial regulations may make provision for the authorisation of the payment of money in exercise of any of the Council's functions to be delegated to a committee, sub-committee or to an employee.**

38.0 GENERAL POWER OF COMPETENCE

38.1 The General Power of Competence permits principal councils and eligible local councils to do anything that individuals generally may do. The Council will adopt this power when it becomes eligible.

38.2 Before exercising the General Power of Competence, the full Council must have passed a resolution at an ordinary meeting, that they meet the relevant eligibility criteria: a Clerk who holds a recognised qualification and the number of councillors elected at the last ordinary election or subsequent by-elections is equal to or exceeds two thirds of the total number of councillors. If adopted, the General Power becomes the power of first resort.

38.3 Local councils are also required by regulation to pass a resolution at each subsequent relevant annual meeting that it meets the conditions of eligibility. The relevant annual meeting is one following an ordinary election.

39.0 FREEDOM OF INFORMATION ACT

39.1 All requests for information held by the Council shall be processed in accordance with the Council's Publication Scheme and associated Information Guide in accordance with the Freedom of Information Act 2000.

40.0 VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

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

40.2 A motion permanently to add, vary, or revoke a Standing Order shall when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council, unless a written draft of the changes has been circulated by the Town Clerk with the Agenda. No standing Order may be changed unless so resolved by at least two thirds of the members of the Council present at the meeting.

40.3 Standing Orders shall be reviewed regularly and in any case at least every 4 years, in the Council year following an ordinary election.

41.0 STANDING ORDERS TO BE GIVEN TO MEMBERS

41.1 A copy of these Standing Orders shall be given to each member by the Clerk upon delivery to him/her of the member's declaration of acceptance of office or following any amendment or revision of them.

42.0 MOBILE PHONES

42.1 Mobile phones must be switched off or on to "silent" mode at all times during meetings of Council, Committees, Sub-Committees and Working Parties. The only exception to this is where due to wholly exceptional circumstances the Chairman has agreed prior to the meeting that the mobile phone might be left on.

43.0 TRAINING AND DEVELOPMENT

43.1 The Council will determine and execute an annual training plan for its Members.

44.0 TOWN MEETING

44.1 The Council will facilitate the annual Town Meeting, to be held between the 1st March and 1st June (both inclusive), each year.

44.2 The Council will fix the day and time of the Town Meeting but it must not commence earlier than 6pm.

44.3 At least 7 days public notice must be given of the meeting, specifying the time and place thereof and the business to be transacted.

44.4 The press and public have the same rights of admission as they have to a meeting of the Town Council.

44.5 The Council Chairman, if present presides at the Town meeting or in his/her absence the Vice-Chairman. If neither are present, the meeting elects a chairman from the local government electors for the Parish who are present.

45.0 PRAYERS AT COUNCIL MEETINGS

45.1 If the Council has adopted the General Power of Competence, prayers may be included as part of the meeting if the Council wishes.

45.2 If the Council is not eligible to adopt the General Power of competence, prayers may take place before commencement of the meeting if the Council wishes, but Members cannot be summoned to attend.

46. MANAGEMENT OF INFORMATION

46.1 The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.

46.2 The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).

46.3 The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification

46.4 Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.

47. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

47.1 The Council shall appoint a Data Protection Officer.

47.2 The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.

47.3 The Council shall have a written policy in place for responding to and managing a personal data breach.

47.4 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.

47.5 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.

47.6 The Council shall maintain a written record of its processing activities.

48. RESPONSIBILITIES TO PROVIDE INFORMATION

48.1 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.

48.2 The Council, shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.