

Based upon the NALC Model Orders July 2018, modified by this Council to support the new empowerment enshrined in the Coronavirus Act 2020 and associated 2020 Regulations.



# GLENFIELDS PARISH COUNCIL

Park House, Stamford Street, Glenfield LE3 8DL

## STANDING ORDERS

GPC47

**Amended MAY 2020**

**For review annually**

**Based upon the NALC Model Orders July 2018, modified by this Council to support the new empowerment enshrined in the Coronavirus Act 2020 and associated 2020 Regulations.**

Page No

1. MEETINGS including Remote Meetings	3
2. ANNUAL MEETING	4
3. COMMITTEES, SUB-COMMITTEES, WORKING PARTIES AND THEIR TERMS OF REFERENCE AND DELEGATED POWERS	5
4. PRESENCE OF NON-MEMBERS OF COMMITTEES AT COMMITTEE MEETINGS / WORKING PARTY MEETINGS	6
5. EXTRAORDINARY MEETINGS	6
6. ORDER OF BUSINESS	7
7. RULES OF DEBATE	8
8. VOTING	10
9. DISORDERLY CONDUCT	11
10. PREVIOUS RESOLUTIONS	11
11. DRAFT MINUTES	12
12. PROPER OFFICER	12
13. MOTIONS REQUIRING WRITTEN NOTICE TO BE GIVEN TO THE PROPER OFFICER	13
14. MOTIONS AT A MEETING THAT DO NOT REQUIRE WRITTEN NOTICE	14
15. HANDLING OF STAFF MATTERS	14
16. RESPONSIBLE FINANCIAL OFFICER	15
17. FINANCIAL CONTROLS AND PROCUREMENT	15
18. EXECUTION AND SEALING OF LEGAL DOCUMENTS	17
19. ACCOUNTS AND ACCOUNTING STATEMENTS	17
20. ESTIMATES (BUDGETS) / PRECEPTS	17
21. STANDING ORDERS GENERALLY	18
22. CODE OF CONDUCT AND DISPENSATIONS	18
23. COMPLAINTS incl CODE OF CONDUCT	19
24. APOLOGIES FOR NON-ATTENDANCE / ABSENCE	19
25. CANVASSING OF AND RECOMMENDATIONS BY MEMBERS RELATING TO APPOINTMENTS AND TENDERS	20
26. INSPECTION OF DOCUMENTS AND MINUTES	20
27. UNAUTHORISED ACTIVITIES	20
28. ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS	20
29. MEDIA INTERFACE	22
30. LIAISON WITH DISTRICT AND COUNTY COUNCILLORS	22
31. RESIGNATIONS	22
32. MANAGEMENT OF INFORMATION	22
33. RESPONSIBILITY TO PROVIDE INFORMATION	22
34. RESPONSIBILITY UNDER DATA PROTECTION LEGISLATION	22
35. CIRCULATION OF STANDING ORDERS / FINANCIAL REGULATIONS / POLICIES REGISTER	23
36. GENERAL RULES OF REMOTE MEETINGS HELD	23

## 1 MEETINGS

- 1.1 **Meetings shall take place at a time and date as the Council shall determine** LAPCP Regulations 2020 Part 2 Reg 4(a)
- 1.2 **Council may alter the frequency, move or cancel such meetings.** LAPCP Regulations 2020 Part 2 Reg 4(a)
- 1.3 **A meeting of a local authority is not limited to a meeting of persons all of whom, or any of whom, are present in the same place and any reference to a “place” where a meeting is held, or to be held, includes reference to more than one place including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers.** LAPCP Regulations 2020 Part 2 Reg 5 (1)
- 1.4 **Members(including members of the public) in remote attendance attends the meeting at any time if all of the conditions in subsection are satisfied:**
  - (a) **to hear, and where practicable see, and be so heard and, where practicable, be seen by, the other members in attendance,**
  - (b) **to hear, and where practicable see, and be so heard and, where practicable, be seen by, any members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting, and**
  - (c) **to be so heard and, where practicable, be seen by any other members of the public attending the meeting.** LAPCP Regulations 2020 Part 2 Reg 5 (2) (3) & (4)
- 1.5 **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.**
- 1.6 **The Chairman, if present, shall preside at a meeting. If the Chairman is absent, the Vice Chairman, if present, shall preside. In the absence of both the Chairman and Vice Chairman, a Councillor, chosen by the Councillors present at the meeting, shall preside.** Whoever presides at a Meeting may exercise the powers and duties applicable to the Chairman of the Council in the conduct of the Meeting.
- 1.7 **Councillors and members of the public shall be given 3 clear working days’ notice of meetings.** (*clear days do not include the day on which the notice was issued or the day of the meeting*)<sup>1</sup>
- 1.8 **Five Councillors or one-third of the total membership, whichever is the greater, shall constitute a quorum at meetings of the Council. If a quorum is not present or if during a meeting the number of Councillors present and able to conduct business (ie not including those debarred by reason of a declared interest) falls below the required quorum, the business on the agenda for the meeting shall be adjourned to another meeting.**
- 1.9 **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public’s exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public’s exclusion.**
- 1.10 **Member and public access to documents and remote access of public and press to a local authority meeting to enable them to attend or participate in that meeting by electronic means, including by telephone conference, video conference, live webcasts, and live interactive streaming.** LAPCP Regulations 2020 Part 2 Reg 6(b) (c)
- 1.11 **A meeting being “open to the public” include access to the meeting through remote means including (but not limited to) video conferencing, live webcast, and live interactive streaming and where a meeting is accessible to the public through such remote means the meeting is open to the public whether or not members of the public are able to attend the meeting in person;** LAPCP Regulations 2020 Part 2 Reg 13(a)

---

<sup>1</sup> clear days do not include the day on which the 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)

- 1.12 **Being “present” at a meeting include access through remote means mentioned in paragraph (a) above.”**  
LAPCP Regulations 2020 Part 2 Reg 13(b)
- 1.13 Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of any item of business included on the agenda. The period of time designated for public participation at a meeting shall not exceed 15 minutes unless directed by the Chairman of the meeting. A member of the public shall not speak for more than three minutes, without the leave of the Chairman. A record of a public participation session at a meeting shall be included in the minutes of that meeting. A question shall not require a response at the meeting nor start a debate on the question. The Chairman of the meeting may direct that a written or oral response be given.
- 1.14 Any person speaking at a meeting shall address their comments through or via the Chairman.
- 1.15 The Council may decide to record meetings and those audio recordings will be retained in accordance with the Councils Media policy. The Chairman will advise all present when recordings are being made.

## **2 ANNUAL MEETING**

- 2.1 **In an Election year, the Annual Meeting of the Council shall be held on or within 14 days following the day on which the new Councillors elected take office.**
- 2.2 **In a year which is not an election year, the Annual Meeting of the Council shall be held on such a day in May that the Council may direct. This is now optional and if councils are able to hold this meeting then it should proceed.** LAPCP Regulations 2020 Part 6 (c)
- 2.3 **If no other time is fixed, the annual meeting of the Council shall take place at 6pm.**  
**This no longer applies until May 2021**  
LAPCP Regulations 2020 Part 6 (c)
- 2.4 **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 and at such places as the Council may direct.**
- 2.5 **The election of the Chairman and Vice Chairman of the Council shall be the first business completed at the Annual Meeting of the Council. This no longer applies until May 2021**  
LAPCP Regulations 2020 Part 6 (c)
- 2.4 **The Chairman of the Council, unless they have resigned or become disqualified, shall continue in office and preside at the Annual Meeting until their successor is elected at the next annual meeting of the Council**
- 2.5 **The Vice Chairman of the Council, unless they have resigned or become disqualified, shall continue in office until (immediately after the election of the Chairman of the Council at) the next Annual Meeting of the Council.**
- 2.6 **In an election year, if the current Chairman of the Council has not been re-elected as member of the Council, they shall not have an original vote in respect of the election of the new Chairman but must give a casting vote in the case of an equality of votes.**
- 2.7 **In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, they shall preside at the meeting until a new Chairman of the Council has been elected. They may exercise an original vote in respect of the election of the new Chairman of the Council and must give a casting vote in the case of an equality of votes.**

## **3. COMMITTEES, SUB-COMMITTEES, WORKING PARTIES AND THEIR TERMS OF REFERENCE AND DELEGATED POWERS**

### 3.1 The Council

- Will at its Annual Meeting, or at the time of appointing such committees, appoint members to the various Committees (with the exception of the Finance & Audit Committee and the Property Committee) and also appoint other committees, sub-committees and working parties as are deemed necessary;
- may, at its Annual Meeting or at the time of appointing such committees, appoint the Chairman of those committees;
- will approve the Terms of Reference of such committees when appointing those committees or as soon as practicable thereafter. The Parish Manager shall provide the members of each committee, sub-committee or working party with copies of their terms of reference;
- may co-opt persons, other than members of the Council, to any sub-committee or working party
- shall not appoint any member of a committee so as to hold office later than the next Annual Meeting;
- may at any time dissolve or alter the membership of a committee or sub-committee or working party.

3.2 The Finance and Audit Committee will be automatically comprised of the Chairman and Vice Chairman of Council together with the Chairmen of all Council Committees, acting ex-officio.

3.3 The Property Committee will be automatically comprised of the Chairman and Vice Chairman of Council together with the Chairmen of all Council Committees, acting ex-officio, together with the Lead Member of the Health & Safety Working Party.

3.4 Committees, sub-committees and working parties will have delegated powers only where the full Council has explicitly approved the scope of the delegation (which will normally be set out in the relevant Terms of Reference).

3.5 The Parish Manager has delegated power to act on behalf of the Council in respect of planning issues; the Parish Manager may delegate this role to the Deputy Clerk. All planning applications will be referred to the Parish Manager who, in consultation with a minimum of 2 members of the Council, preferably members of the Planning Committee, will, where appropriate and as soon as possible, submit observations and respond to the responsible authorities. Major or contentious planning applications, as determined by the Chairman of the Planning Committee, and consultation exercises shall be the subject of recommendations to the Council;

3.6 The Parish Manager shall have delegated power in order to initiate legal proceedings without delay and to incur associated expenditure in an emergency situation. Where possible, the Parish Manager should consult with the Chairman or Vice Chairman of the Council;

3.7 Committees shall have a minimum of four meetings a year;

3.8 The length of committee, sub-committee, or working party meetings shall not exceed two hours;

3.9 Meetings of committees, sub-committees or working parties will not normally be held in the 5 working days preceding a Council meeting unless there is an urgent item of business to be discussed;

3.10 The Chairman and Vice Chairman of the Council, ex-officio, shall be voting members of every committee with the exception of the Complaints & Conduct Committee;

3.11 With the exception of membership to the Complaints & Conduct Committee, and standing orders 3.2 and 3.3, members may serve on not more than three committees;

3.12 Where the Council has not appointed the Chairman for a committee, sub-committee, or working party, it shall, at its first meeting before proceeding to any other business, elect a Chairman. The Chairman shall hold office until the next Annual Meeting of the Council;

3.13 The programme of meetings for committees, sub-committees and working parties will be determined by the Chairman of each such committee/working party;

3.14 Meetings of working parties are not public meetings so do not have to be advertised;

3.15 Membership of sub-committees shall be not less than 3 and of working parties, not less than 2;

3.16 The quorum of a committee or sub-committee shall be three members or one-half of its members whichever is the greater.

**Based upon the NALC Model Orders July 2018, modified by this Council to support the new empowerment enshrined in the Coronavirus Act 2020 and associated 2020 Regulations.**

- 3.17 Chairmen of committees and sub-committees shall in the case of an equality of votes have a second or casting vote.
- 3.18 The Property Committee will be automatically comprised of the Chairman and Vice Chairman of Council together with the Chairmen of all Council Committees, acting ex-officio, together with the Lead member of the Health & Safety Working Party;
- 3.19 All Committee or Working Party/Group's agendas shall include an item in respect of "*Climate Change*";
- 3.20 All members of Committees/Working Parties/Groups must take into account climate change issues when making decisions;
- 3.21 The Chair of a Committee or Working Party/Group must provide a report to full Council each quarter in respect of Climate Change issues pertinent to that Committee or Working Party/Group;
- 3.22 The Climate Change Working Party must review the reports referred to at 3.20 after each quarter and make further recommendations if required in respect thereof;
- 3.23 Except for paragraphs 1.1, 1.5, and 6 these Standing Orders shall apply to all committee, sub-committee and working party meetings.

**4. PRESENCE OF NON-MEMBERS OF COMMITTEES AT COMMITTEE MEETINGS / WORKING PARTY MEETINGS**

- 4.1 A member who has proposed a resolution which has been referred to any committee of which they are not a member, may explain their motion to the committee but shall not vote.
- 4.2 A member may attend a meeting of any committee and/or working party of which they are not a member and act as an observer but may not speak without the consent of the meeting, and shall not vote
- 4.3 At meetings of the Staffing Committee and the Complaints & Conduct Committee, Councillor non-members, must leave the room when the press and public are excluded. Issues involving individual members of staff may subsequently require an appeal process to be followed and it is essential that a number of members can re-visit the issue without prior knowledge. For the same reason, either the Chairman of Council or the Vice Chairman should leave the meeting at that point.

**5 EXTRAORDINARY MEETINGS**

- 5.1 **The Chairman of the Council or, in their absence, the Vice Chairman of the Council may convene an extraordinary meeting of the Council at any time<sup>2</sup>.**
- 5.2 **If the Chairman of the Council (or in their absence, the Vice Chairman) 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 statutory public notice giving the time, venue and agenda for such a meeting must be electronically signed by the two Councillors<sup>3</sup>.**
- 5.3 The Chairman of a committee or sub-committee may convene an extraordinary meeting of the committee or sub-committee at any time, giving the requisite notice period.
- 5.4 If the Chairman of a Committee or subcommittee does not call an extraordinary meeting within seven days of having been requested in writing to do so by two members of the committee or sub-committee, any two members of the committee or sub-committee may convene an extraordinary meeting of a committee or sub-committee.
- 5.5 Members must be given 3 clear working days' notice of any extra ordinary meeting together with an agenda.

<sup>2</sup> LGA 1972 Schedule 12 paras 9 and 25, LGA 1972 ss 15(9) and 34 (9)

<sup>3</sup> LGA 1972. Schedule 12 Part I para 9(2)

Re-adopted 11/05/2020 Cou/222v/19-20

<b>6 ORDER OF BUSINESS</b>
----------------------------

### **Annual Meeting**

6.1 Following the election of the Chairman at the Annual Meeting of the Council, the business of the Annual Meeting shall include:

- i. Delivery by the Chairman of the Council and, in an election year by Councillors, of their acceptance of office forms unless the Council resolves for this to be done at a later date;**
- ii. To receive and determine whether to accept (see Standing Order 24.1) apologies for absence and to record the names of Councillors present and absent;
- iii. To receive Declarations of Interest and the Parish Manager to approve and report to Council requests for dispensations under Section 33 (1) of the Localism Act 2011 from members for which they have a Disclosable Pecuniary Interest under the relevant statutory circumstances, where appropriate;
- iv. Election of the Vice Chairman of the Council;
- v. Delivery by the Vice Chairman of the Council of their acceptance of office form unless the Council resolves for this to be done at a later date;
- vi. In an election year, to consider how to fill any vacancies left unfilled at the election by reasons of insufficient nominations;
- vii. Confirmation of the accuracy of the minutes of the last meeting of the Council;
- viii. To appoint such committees, sub-committees and working parties as deemed necessary;
- ix. Appointment of members to committees, sub-committees and working parties;
- x. Appointment of the Chairmen of committees, sub-committees and working parties;
- xi. Review of the terms of reference and delegation arrangements for committees, sub-committees and working parties;
- xii. To agree membership of outside bodies and authorise payment of any subscriptions;
- xiii. To nominate representatives and / or observers to outside bodies;
- xiv. To receive reports and minutes of committees and consider any recommendations;
- xv. In an election year, to make arrangements with a view to the Council becoming eligible to exercise the General Power of Competency in the future;
- xvi. Review of inventory of land and other assets including buildings and office equipment;
- xvii. Confirmation of arrangements for insurance cover in respect of all insurable risks;
- xviii. In an election year, review of the Council's Complaints procedure;
- xix. To declare the total number of electors for the Parish;
- xx. Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the General Power of Competence.
- xxi. Determining the time and place of ordinary meetings of the full Council up to and including the next Annual Meeting of the Council;

and shall thereafter follow the order set out in standing order 6.2.

Items viii) onwards may be deferred to a pre-determined meeting if it is anticipated that there will be insufficient time to complete the business on the agenda.

### **At every other meeting**

6.2 The order of business, unless the Council otherwise decides on the ground of urgency, shall be as follows: -

- a) To receive and determine whether to accept (see Standing Order 24.1) apologies for absence and to record the names of Councillors present and absent;
- b) To receive Declarations of Interest and the Parish Manager to approve and report to Council requests for dispensations under Section 33 (1) of the Localism Act 2011 from members for which they have a

Disclosable Pecuniary Interest under the relevant statutory circumstances, where appropriate; e.g. where granting of the dispensation is in the interests of persons living in the authority's area, and if approved, to allow a Councillor to:

- i) participate, or participate further, in any discussion of the matter at the meeting(s); and/or
  - ii) participate in any vote, or further vote, taken on the matter at the meeting(s);
- c) To receive the Chairman's Report and remarks;
  - d) After consideration to approve the signing of the Minutes of the previous meeting by the person presiding as a correct record;
  - e) To provide an opportunity for members of the public to make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of any item of business included in the agenda (standing order 1.10);
  - f) To receive the Police report;
  - g) To receive the Parish Managers Report;
  - h) To receive a verbal or written report(s) from the County Councillor(s);
  - i) To receive a verbal or written report(s) from the District Councillor(s);
  - j) To receive and approve all financial reports;
  - k) To deal with business expressly required by statute to be done;
  - l) To receive reports and approved minutes of committees;
  - m) To receive, every quarter, a report in respect of Climate Change issues pertinent to that Committee or Working Party/Group
  - n) To receive and consider resolutions or recommendations;
  - o) To deal with any other business as detailed on the agenda and in associated papers.
- 6.3 A motion to vary the order of business on the grounds of urgency may be proposed by the Chairman or by any member. If proposed by the Chairman it may be put to the vote without being seconded. It shall be put to the vote without discussion.

## **7 RULES OF DEBATE**

- 7.1 The purpose of the meetings of the Council and its committees, sub-committees and working parties is to expedite the business on the agenda as effectively as possible, whilst allowing reasonable discussion of the issues, when required. Not all matters will require lengthy or detailed debate and the Chairman may seek the agreement of the meeting to put the matter to a vote at any stage. Members should ensure that their contributions to debate are relevant and intended to facilitate the effective conduct of public business.
- a) Motions on the agenda shall be considered in the order that they appear unless the order is changed by the Chairman of the meeting
  - b) A motion (including an amendment) shall not be progressed unless it has been proposed and seconded;
  - c) A motion on the agenda that is not moved by its proposer may be treated by the Chairman of the meeting as withdrawn;



**Based upon the NALC Model Orders July 2018, modified by this Council to support the new empowerment enshrined in the Coronavirus Act 2020 and associated 2020 Regulations.**

- d) If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting 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;
- e) An amendment is a proposal to remove or add words to a motion. It shall not negate the motion;
- f) If an amendment to the original motion is carried, the original motion (as amended) becomes the substantive motion upon which further amendment(s) may be moved;
- g) A member may move an amendment to their own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder at the meeting;
- h) Only one amendment shall be moved and debated at a time;
- i) A member may not move to amend an original or substantive motion more than once without the approval of the meeting;
- j) The mover of a motion or amendment has no right of reply at the end of debate on it. The Chairman of a meeting may however, at their own discretion or if it is the will of the meeting, allow the mover of a motion or amendment to reply briefly to any debate;
- k) Where one or more amendments to an original motion are carried, the mover of the original motion shall have a right of reply at the end of debate on the final substantive motion immediately before it is put to a vote;
- l) Unless permitted by the Chairman of the meeting, a member may speak only once in the debate on a motion except:
  - i) To speak on amendment moved by another member;
  - ii) To move or speak on another amendment if the motion has been amended since they last spoke;
  - iii) To make a point of order
  - iv) To give a personal explanation or
  - v) To exercise a right of reply.
- m) During the debate of a motion, a member may interrupt only on a point of order or a personal explanation and the member who was interrupted shall stop speaking. A member raising a point of order shall identify the standing order which they consider has been breached or specify the other irregularity in the proceedings of the meeting they are concerned by. A personal explanation shall be confined to some material part of a former speech by them which may have been misunderstood;
- n) A ruling of the Chairman on a point of order or on the admissibility of a personal explanation or the interpretation of the rules or procedures shall not be a matter for discussion and is final;
- o) When a motion is under debate, no other motion shall be moved except the following:
  - i. To amend the motion
  - ii. To move to the next business
  - iii. To adjourn the debate
  - iv. To put the motion to a vote
  - v. That a member named or a member of the public be silenced or asked to leave the meeting
  - vi. To refer a motion to a committee or sub-committee or working party for consideration
  - vii. To exclude the public and press
  - viii. To adjourn the meeting
  - ix. To suspend a particular standing order except one that reflects mandatory statutory or legal requirements.

**Based upon the NALC Model Orders July 2018, modified by this Council to support the new empowerment enshrined in the Coronavirus Act 2020 and associated 2020 Regulations.**

- p) Before an original or substantive motion is put to the vote, the Chairman of the meeting shall be satisfied that the motion has been sufficiently debated and the mover of the motion under debate has exercised or waived any right of reply;
- q) The contributions or speeches by a member shall relate only to the motion under discussion and shall not exceed 3 minutes without the consent of the Chairman of the meeting;
- r) A member exercising a right of reply shall not introduce a new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion;
- s) Members shall address the Chairman. If two or more members wish to speak, the Chairman shall decide who to call upon;
- t) Whenever the Chairman speaks during a debate all other members shall be silent and respect the authority of the Chairman;
- u) A motion of closure of a debate may be moved at any time but must be proposed and seconded without comment. The Chairman may refuse such motion if they feel that the question before the Council has not been sufficiently debated;
- v) The Chairman may seek the agreement of the meeting to move immediately to a vote where debate, or further debate, appears likely to prolong the discussion but unlikely to affect the outcome of the motion under discussion. Where the matter is taken immediately to a vote in such circumstances but the vote is not unanimous, the Chairman should, for the sake of transparency, allow any member who voted against the majority and who had not previously spoken in the debate to state their views for up to a maximum of two minutes before moving to the next item of business.

<b>8</b>	<b>VOTING</b>
----------	---------------

- 8.1 **Subject to a meeting being quorate, all issues at a meeting shall be decided by a majority of the Councillors present and voting;**
- 8.2 **Members shall vote by a show of hands** unless a secret ballot is requested or Members to verbally announce their vote each in turn,  
or,  
Pressing a button to record their vote. LAPCP Regulations 2020 Part 2 Reg 6(a)
- 8.3 **At the request of a Councillor:**
  - i) **the voting on any question shall be recorded so as to show whether each Councillor present and voting gave their vote for or against that question<sup>4</sup>. Such a request shall be made before moving on to the next item of business on the agenda.**
  - ii) if a request for a recorded vote is made during or after a secret ballot then either each Councillor must openly confirm how they voted or the vote must be retaken openly (advices NALC 02/17/2017)
- 8.4 **A 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 considered at a meeting is subject to statutory limitations or restrictions under the code on their right to participate and vote on that matter.** They may (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted but must, thereafter, withdraw.
- 8.5 **In an election year, if the current Chairman has not been re-elected as a member of the Council they shall preside at the meeting until a successor Chairman of the Council is elected. The current Chairman of the Council shall not have an–original vote in respect of the election of the new Chairman of the Council but must give a casting vote in the case of an equality of votes<sup>5</sup>;**

<sup>4</sup> LGA 1972 Schedule 12 para 13 and 29

<sup>5</sup> LGA 1972 S15(3)

- 8.6 **In an election year, if the current Chairman has been re-elected as a member of the Council they shall preside at the meeting until a new Chairman of the Council has been elected.**
- 8.7 The Chairman of a meeting may give an original vote on any matter put to a vote and, in the case of equality of votes, may exercise their casting vote whether or not they gave an original vote;
- 8.8 **The person presiding as Chairman must give a casting vote when votes are equal in an election for Chairman.**
- 8.9 When voting on appointments:
- i) Where only one person has been nominated for an appointment the Chairman should proceed immediately to a vote whilst normally permitting the nominated person to remain in the room;
  - ii) Where more than one person has been nominated those nominated should leave the room whilst a vote is taken;
  - iii) 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 in their favour, the name of the person having the least number of votes shall be taken 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 Chairman of the meeting.

## **9 DISORDERLY CONDUCT**

- 9.1 All Councillors shall observe the Code of Conduct adopted by the Council.
- 9.2 All remarks and comments made by both Councillors and members of the public must be respectfully addressed through the Chairman.
- 9.3 Members must not disregard the ruling of the Chairman, wilfully obstruct or disrupt business, behave irregularly, offensively or improperly in a manner likely to bring the Council into disrepute, contempt or ridicule.
- 9.4 No person shall obstruct the transaction of business at a meeting or behave as described in 9.3 above.
- 9.5 If, in the opinion of the Chairman, there has been a breach of standing order 9.3, the Chairman shall express that opinion and thereafter any Councillor (including the Chairman) may move that the person be silenced or excluded from the meeting and the motion if seconded, shall be put to the vote immediately without discussion. If such a resolution is ignored, the Chairman may take such steps as may reasonably be necessary to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

## **10. PREVIOUS RESOLUTIONS**

- 10.1 A resolution (whether affirmative or negative) shall not be reversed within six months except either by a special motion, which requires written notice by at least three Councillors to be given to the Proper Officer in accordance with Standing Order 13, or by a motion moved in pursuance of the report or recommendation of a committee.
- 10.2 When a motion moved pursuant to standing order 10.1 has been disposed of, no similar motion may be moved for a further six months.

## **11 DRAFT MINUTES**

- 11.1 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.
- 11.2 There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy.
- 11.3 The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the Chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- 11.4 The minutes of a meeting shall also include the media used to conduct the meeting
- 11.5 If the Chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:
- a) "The Chairman 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."
  - b) Subject to the publication of draft minutes in accordance with standing order 33.1 and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be normally destroyed.

## **12 PROPER OFFICER**

- 12.1 Where a statute, regulation or order confers functions or duties on the Proper Officer of the Council in the following cases, they shall be the Parish Manager or the Deputy Clerk when the Proper Officer is absent:  
The Proper Officer shall:
- **At least three clear days<sup>6</sup> before a meeting of the Council, a committee and/or a sub-committee, serve on Councillors a signed summons confirming the time, place and the agenda, by post or delivery at their residence or send that information by email, authenticated in such a manner as the Proper Officer thinks fit, (provided the councillor has consented to service by email) and**
  - **Provide, in a conspicuous place or publishing on the Councils website within the meaning of the Local Government Act 1972 public notice of the time, place and agenda.** LAPCP Regulations 2020 Part 1 Reg 13 (a)
  - Hold acceptance of office forms from Councillors
  - Receive and approve requests for dispensations from members for which they have a disclosable Pecuniary Interest
  - Hold a copy of every Councillor's register of interests and record notices disclosing interests at meetings
  - **Convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office**
  - **Facilitate inspection of the minutes by local government electors**
  - **Receive and retain copies of byelaws made by other local authorities**
  - Assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;

<sup>6</sup> Clear days do not include the day on which the 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)

**Based upon the NALC Model Orders July 2018, modified by this Council to support the new empowerment enshrined in the Coronavirus Act 2020 and associated 2020 Regulations.**

- Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- Assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);
- Arrange for legal deeds to be executed
- Certify copies of byelaws made by the Council
- Arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
- Record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
- Manage access to information about the Council via the publication scheme;
- Retain custody of the seal of the Council (if there is one) which shall not be used without a resolution to that effect.
- Keep proper records of all Council meetings

**13 MOTIONS REQUIRING WRITTEN NOTICE TO BE GIVEN TO THE PROPER OFFICER**

- 13.1 In accordance with these standing orders, no motion may be moved at a meeting unless the business to which the resolution relates has been put on the Agenda by the Parish Manager<sup>7</sup> or the Deputy Clerk when the Proper Officer is absent, or the mover has given written notice of the terms of the resolution to the Parish Manager or the Deputy Clerk when the Proper Officer is absent, at least 5 clear days before the Council Meeting. Members should provide adequate information or background on items put forward for inclusion on the agenda.
- 13.2 If the wording or nature of a proposed motion is considered unlawful or improper, the Parish Manager or the Deputy Clerk when the Proper Officer is absent, shall consult with the Chairman 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. Having consulted, the decision of the Parish Manager or the Deputy Clerk when the Proper Officer is absent, shall be final.
- 13.3 The Parish Manager or the Deputy Clerk when the Proper Officer is absent, 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 they intend to move at some later meeting or that they withdraw it.
- 13.4 If a motion 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.
- 13.5 If the subject matter of a motion comes within the province of a committee of the Council, unless a majority of those members present wish to progress it, upon being moved and seconded, it shall stand referred to such committee.
- 13.6 Every motion and recommendation shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's parish area or its residents.

---

<sup>7</sup> LGA 1972 Schedule 12 paras 10 (2)

**14 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 defer consideration of a motion
- iv. To refer a motion to a Committee or sub-committee
- v. To appoint a person to preside at a meeting
- vi. To change the order of business on the agenda
- vii. To proceed to the next business on the agenda
- viii. To require a written report
- ix. To appoint a committee, sub-committee or working party and its members
- x. To extend the time limit for speaking
- xi. To exclude the press and public from a meeting in respect of confidential or sensitive information which is prejudicial to the public interest
- xii. To not hear further from a Councillor or a member of the public
- xiii. To silence or eject from the meeting any Councillor or a member of the public for misconduct or disorderly conduct.
- xiv. To temporarily suspend the meeting
- xv. To dissolve a committee or sub-committee
- xvi. To amend a motion relevant to the original or substantive motion under consideration that shall not have the effect of nullifying it.
- xvii. To give leave to withdraw a motion or amendment
- xviii. To consider a report and/or recommendation made by an employee, professional advisor, expert or consultant.
- xix. To suspend a particular standing order (unless it reflects legal requirements).
- xx. To adjourn the meeting or to close a meeting. When a meeting is adjourned the resumed meeting is part of the original one and new notices and an agenda need not be issued but a notification of the new date shall be published at least 3 clear working days in advance

**15 HANDLING STAFF MATTERS**

- 15.1 A matter personal to a member of staff that is being considered by a meeting of the Council or the Staffing Committee or a sub-committee of the Staffing Committee is subject to standing order 32.
- 15.2 If at any meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service, of any person employed by the Council, it shall not be considered until the Council or committee (as the case may be) has decided whether or not the press and public shall be excluded.
- 15.3 Any committee or persons responsible for all or part of the management of Council employees shall keep written records of all meetings relating to their performance and capabilities, grievance and disciplinary matters.
- 15.4 The Council shall keep written records relating to employees secure. All paper records shall be securely locked away and electronic records shall be password protected.

**Based upon the NALC Model Orders July 2018, modified by this Council to support the new empowerment enshrined in the Coronavirus Act 2020 and associated 2020 Regulations.**

- 15.5 Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 15.4 and 15.5 above shall be provided only to the Chairman of Council, the Chairman of the Staffing Committee and appropriate staff members.

**16 RESPONSIBLE FINANCIAL OFFICER**

- 16.1 The Deputy Clerk shall undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

**17 FINANCIAL CONTROLS AND PROCUREMENT**

- 17.1 Orders for the payment of money shall be authorised by resolution of the Council and signed by three members.
- 17.2 The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer and shall be reviewed regularly and at least annually for fitness for purpose.
- 17.3 Such Regulations shall include detailed arrangements for the following:
- i. The keeping of accounting records and systems of internal control
  - 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 (subject to standing order 17.4) including the setting of values for different procedures where the contract has an estimated value of less than £25,000
- 17.4 **Financial Regulations shall confirm that a proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £25,000 shall be procured on the basis of a formal tender.**
- 17.5 **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 in standing order 17.8 is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity unless it proposes to use an existing list of approved suppliers (framework agreement). Regulation 110 provides that:**
- a) the Council must advertise the contract opportunity on the "Contract Finder" website and also advertise via a public notice its intention to place a contract in a local newspaper;
  - b) the Council must advertise the contract opportunity on Contract Finder within 24 hours of advertising it elsewhere;
  - c) the Council is deemed to advertise a contract opportunity if it does anything to put the opportunity in the public domain or bring the opportunity to the attention of economic operators generally or to any class or description of economic operators which is potentially open-ended, with a view to receiving responses from economic operators who wish to be considered for the award of the contract. The Council is not deemed to advertise an opportunity where it makes the opportunity available to only a number of particular economic operators who have been selected for that purpose (whether ad hoc or by virtue of their membership of some

**Based upon the NALC Model Orders July 2018, modified by this Council to support the new empowerment enshrined in the Coronavirus Act 2020 and associated 2020 Regulations.**

closed category such as framework agreement), regardless of how it draws the opportunity to the attention of those economic operators.

- d) The information to be published on Contracts Finder shall include at least the following; -
    - (i) the time by which any interested operator must respond if it wishes to be considered;
    - (ii) how and to whom such an operator is to respond; and
    - (iii) any requirements for participating in the procurement;
  - e) Where the Council publishes information on Contracts Finder it must –
    - (i) by means of the internet, offer unrestricted and full direct access free of charge to any relevant contract documents; and
    - (ii) specify in the information published on Contracts Finder the internet address at which those documents are accessible;
  - f) It must have regard to guidance issued by the minister for the Cabinet Office.
  - g) A specification of the goods, materials or services and the execution of works shall be drawn up.
  - h) Tenders will be sent in a sealed, marked envelope to the Proper Officer by a stated date and time.
  - i) Tenders submitted are to be opened, after the closing date and time, by the Proper Officer and at least two members of the Council.
  - j) Tenders are then to be assessed and reported to the appropriate meeting of Council or committee.
- 17.6 When a contract is awarded, the Council, having regard to guidance issues by the Minister for the Cabinet Office, must publish on the Contracts Finder the information set out in Regulation 112. This includes:
- The name of the contractor;
  - The date on which the contract was entered into;
  - The value of the contract;
  - Whether the contractor is a SME (defined as an enterprise falling within category of micro, small and medium – sized enterprises defined by the Commission) or VCSE (defined as a non-governmental organisation that is value driven and which principally reinvests its surpluses to further social, environmental or cultural objectives).

The Council may withhold information from the publication where its release –

- a) Would impede law enforcement or would otherwise be contrary to the public interest,
  - b) Would prejudice the legitimate commercial interests of a particular economic operator, whether public or private, or
  - c) Might prejudice fair competition between economic operators
- 17.7 Neither the Council nor any Committee or sub-committee is bound to accept the lowest tender, estimate or quote.
- 17.8 **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.**



- 17.9 A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.

## **18 EXECUTION AND SEALING OF LEGAL DOCUMENTS**

- 18.1 A legal deed shall not be executed or sealed on behalf of the Council unless this has been authorised by a resolution.
- 18.2 In accordance with a resolution made under standing order 18.1, any two members of the Council may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.

## **19 ACCOUNTS AND ACCOUNTING STATEMENT**

- 19.1 "Proper practices" in standing orders refer to the most recent version of "Governance and Accountability for Local Councils – a Practitioners' Guide".
- 19.2 All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's financial regulations.
- 19.3 The Responsible Officer (RFO) shall each month supply the Council with details of individual sales and purchases including petty cash, bank reconciliations and a cash summary showing opening and closing bank balances.
- 19.4 The Responsible Officer shall supply to the Finance & Audit Committee meeting as soon as is practicable after 31 March, 30 June, 30 September and 31 December in each year, a statement summarising the Council's receipts and payments for each quarter and the balances held at the end of a quarter. The statement should include a comparison with the budget for the financial year. As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
- i. each councillor with a statement summarising the Council's receipts and payments (or income and expenditure) for the last quarter and the year to date for information; and
  - ii. to the Council the accounting statements for the year in the form of Section 2 of the annual governance and accountability return, as required by proper practices, for consideration and approval.
- e the year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all councillors at least 14 days prior to anticipated approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

## **20 ESTIMATES (BUDGETS) / PRECEPTS**

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

- 20.2 Any committee wishing to incur expenditure shall give the Parish Manager a written estimate of the expenditure recommended for the coming year no later than the end of the month of October.

## **21 STANDING ORDERS GENERALLY**

- 21.1 All or part of a standing order, except one that incorporates legal requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- 21.2 A motion to add to or vary or revoke one or more of the Council's Standing Orders, except one that incorporates legal requirements, shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.
- 21.3 The decision of the Chairman of a meeting as to the application of standing orders at the meeting shall be final.

## **22 CODE OF CONDUCT AND DISPENSATIONS**

- 22.1 If a member has a disclosable pecuniary interest as defined by the Code of Conduct adopted by the Council 6<sup>th</sup> September 2012 then they shall declare such pecuniary interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required.
- 22.2 **Dispensation requests shall be in writing and submitted to the Proper Officer** at least two days before a meeting. Councillors with a disclosable pecuniary interest in relation to any item of business being transacted at a meeting may, having applied and had approved a request for a dispensation from the Proper Officer pursuant to s.101(1) of the 1972 Act and/or Council [Section 31(4) of the Localism Act 2011] be allowed to:
- i) participate, or participate further, in any discussion of the matter at the meeting(s); and/or
  - ii) participate in any vote, or further vote, taken on the matter at the meeting(s).
- 22.3 A decision as to whether to grant a dispensation shall be made by a meeting of the Council for which the dispensation is required and that decision is final. The Council delegates the power to grant dispensations to the Parish Manager in respect of requests for dispensations in regards to the setting of the Annual Budget and Precept [Section 33(1) of the Localism Act 2011 and the basis is set out under section 33(2)]. The decision of the Proper Officer as the delegated officer pursuant to s.101 (1) of the 1972 Act, is final.
- 22.4 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.
- 22.5 Subject to standing orders 22.2 and 22.4, dispensation requests shall be considered at the beginning of the meeting of the Council for which the dispensation is required.
- 22.6 **A dispensation may be granted in accordance with standing order 22.2 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.**

- 22.7 The Parish Manager is required to compile, hold and publish on the Council's website a register of member's interests in accordance with agreement reached with the Monitoring Officer of the Responsible Authority and/or as required by statute.
- 22.8 The Parish Manager shall make known the purpose of Standing Order 22.7 to every candidate.
- 22.9 The Council requires all members to adhere to the adopted Code of Conduct<sup>8</sup>.
- i) No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the Chairman of the meeting shall request such person(s) to moderate or improve their conduct.
  - ii) If person(s) disregard the request of the Chairman of the meeting to moderate or improve their conduct, any Councillor or the Chairman of the meeting may move that the person(s) no longer be heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
  - iii) If a resolution made under ii) above is ignored, the Chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

## **23 COMPLAINTS incl CODE OF CONDUCT**

- 23.1 If a complaint cannot be satisfied by less formal measures or explanations provided to the complainant by the Parish Manager or Chairman, the complaint will be referred to the Complaints & Conduct Committee. The complaint may relate to the Parish Council's action or lack of action or about the standard of a service delivered by the Council.
- 23.2 Upon notification by Blaby District Council that it is dealing with a complaint that a Councillor or a co-opted member of any sub-committee or working party has breached the Council's Code of Conduct and/or Standing Orders, the Proper Officer shall, subject to standing order 32, report it to the Complaints & Conduct Committee.
- 23.3 The Complaints & Conduct Committee may:
- a) request information or evidence where such disclosure is necessary to determine the complaint or is a legal requirement;
  - b) seek information, via the Proper Officer, relevant to the complaint from the person or body with statutory responsibility for determination of the matter;
- 23.4 **Upon notification by the District Council that a Councillor or non-Councillor with voting rights has breached the Council's Code of Conduct, the Complaints & Conduct Committee shall recommend to Council what, if any, action to take against them. Such action excludes disqualification or suspension from office.**

## **24 APOLOGIES FOR NON-ATTENDANCE/ABSENCE**

- 24.1 To avoid a casual vacancy arising through a Councillor's failure to attend a meeting for six months pursuant to s.85 of the 1972 Act, a Councillor's absence from a meeting must be approved. Approval cannot be retrospective. If a Councillor wants their absence from a meeting approved, they should submit their request together with the reason for absence to the Parish Manager<sup>9</sup>. The minutes of the Council meeting

---

<sup>8</sup> Localism Act 2011 para 27

<sup>9</sup> Acceptable reasons for absence are generally taken to be serious prolonged illness, funeral of a close relative or friend or attendance as a member at a meeting of any committee or sub-committee of a higher authority  
Re-adopted 11/05/2020 Cou/222v/19-20

**Based upon the NALC Model Orders July 2018, modified by this Council to support the new empowerment enshrined in the Coronavirus Act 2020 and associated 2020 Regulations.**

must record if the Council resolved to approve a Councillor's absence from a meeting. For reasons of openness and transparency, it is desirable to also record in the minutes the Councillor's reason for absence.

**25 CANVASSING OF AND RECOMMENDATIONS BY MEMBERS RELATING TO APPOINTMENTS AND TENDERS**

- 25.1 Canvassing of members of the Council or of any committee, or working party directly or indirectly, for any pecuniary appointment by the Council shall disqualify the candidate for such appointment. The Parish Manager shall make known the purport of this sub-paragraph of this Standing Order to every candidate.
- 25.2 A member of the Council or of any committee or working party shall not solicit for any person any pecuniary appointment by the Council or recommend any person for such appointment or for promotion; but, nevertheless, any such member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- 25.3 Standing Order 25 shall apply to tenders as if the person making the tender were a candidate for an appointment.

**26 INSPECTION OF DOCUMENTS AND MINUTES**

- 26.1 A member may for the purpose of their duty (but not otherwise) inspect any document in the possession of the Council or a Committee, and if copies are available shall, on request, be supplied for the like purpose, with a copy<sup>10</sup>.
- 26.2 Minutes are open for inspection by members of the Council, public and press

**27 UNAUTHORISED ACTIVITIES**

- 27.1 Unless authorised by a resolution, no member of the Council or of any committee shall in the name of or on behalf of the Council:
- a) inspect any lands or premises which the Council has a right or duty to inspect or
  - b) issue orders respecting any works which are carried out by, or on behalf of, the Council; or
  - c) give instructions to any employee or official of the Council or
  - d) visit any resident in their own home

and in respect of d) only if accompanied by another member or member of staff.

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

- 28.1 **The public and press shall be admitted to all meetings of the Council and its Committees, but they may, however, be temporarily excluded by means of the following resolution:**  
*'In accordance with the Public Bodies (Admission to Meetings) Act 1960, the press and the public are excluded from the following item by reason of the confidential nature of the business to be discussed (give reason(s)) and are requested to withdraw'.*
- 28.2 **The reason(s) should be stated.**

---

<sup>10</sup> LGA 1972 Part XI para 228 (1)  
Re-adopted 11/05/2020 Cou/222v/19-20

**Based upon the NALC Model Orders July 2018, modified by this Council to support the new empowerment enshrined in the Coronavirus Act 2020 and associated 2020 Regulations.**

- 28.3 At all meetings of the Council the Chairman may at their discretion and at a convenient time in the transaction of business, adjourn the meeting for a period of normally 15 minutes but may adjourn for longer as may be deemed necessary by them so as to allow members of the public to express an opinion or ask a question in relation to the business to be transacted at that meeting.
- 28.4 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.
- 28.5 The Council supports the principles of openness and transparency in its decision making. It supports the video or audio recording by the public and press of meetings that are open to the public, for either live or subsequent broadcast. Subject to standing order 28.6, 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 or to 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. It also supports the use of modern communication methods such as Twitter, Facebook and blogs to report what is happening at meetings as they take place.
- 28.6. A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.
- 28.7 The right to film, record etc. by the public or press or by a Councillor is limited to the duration of the meeting open to the public. Recording must not start until the meeting is called to order, and must cease when the Chairman closes the meeting or when the press and public are excluded.
- 28.8 The Council records its meetings to act as an aide memoire for accuracy in the production of the minutes including periods when the public and press are excluded from the meeting. (Retention of data - following ratification by the Council of the minutes of the meeting, said recording is normally erased).
- 28.9 Filming or recording equipment of the public and press cannot be left in the meeting room at times when the public is excluded (for example because confidential or exempt information is being discussed).
- 28.10 Intrusive filming of a specific individual or individuals will not be permitted.
- 28.11 Some members of the public attending the meeting may object to being filmed, photographed or recorded. The Council will ask those filming, photographing or recording the meeting to respect their wishes, and will expect that these are complied with.
- 28.12 The Council expects that film or audio recordings will not be edited before transmission in a way that misrepresents what occurred.
- 28.13 Filming or recording is not permitted if the effect would be to interrupt or disturb the proceedings. This means that, for example:
- a) Oral commentary is not permitted.
  - b) Equipment which needs setting up must be in place when the meeting starts.
  - c) Excessive noise, intrusive lighting, and the use of flash photography are not permitted.
  - d) Speakers must not be asked to repeat statements for the purpose of recording.
  - e) “Roaming” while filming or recording is not permitted – those operating equipment must stay in the area designated to them.
- 28.14 This list is not exhaustive. If, in the Chairman’s opinion, a person filming or recording a meeting or taking photographs is interrupting proceedings or causing a disturbance, under the Council’s Standing Orders the person can be ordered to stop their activity, or to leave the meeting.
- 28.15 Blogging, Tweeting, or other commentary on meetings through social media must not interrupt or disturb the meeting. The same rules apply as set out in Standing Order 28.13 above.

## **29 MEDIA INTERFACE**

- 29.1 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.

## **30 LIAISON WITH DISTRICT AND COUNTY COUNCILLORS**

- 30.1 An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the Councillor(s) of both the District and the County Council representing the Glenfields electoral wards.

## **31 RESIGNATIONS**

- 31.1 Resignations shall be delivered in writing to the Chairman of the Council and shall take immediate effect upon receipt.

## **32 MANAGEMENT OF INFORMATION**

- 32.1 **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.**
- 32.2 **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).**
- 32.3 **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.**
- 32.4 No member of the Council or of any committee or sub-committee or working party shall disclose to any person not a member of the Council any business declared to be confidential by the Council, a committee or sub-committee or working party as the case maybe.
- 32.5 **Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.**
- 32.6 Any member in breach of the provisions of standing orders 32.4/ 32.5 may be removed from any committee or sub-committee or working party by the Council.

## **33 RESPONSIBILITY TO PROVIDE INFORMATION**

See also standing order 34.

- 33.1 **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.**
- 33.2 **The Council, shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.**
- 33.3 The Council shall review its procedures for handling requests made under the Freedom of Information and Data Protection legislation on an annual basis or as legislation dictates.

## **34 RESPONSIBILITY UNDER DATA PROTECTION LEGISLATION**

The Council shall abide by Data Protection legislation including:

See also standing order 32.

- 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.**

## **35 CIRCULATION OF STANDING ORDERS / FINANCIAL REGULATIONS / POLICIES REGISTER**

- 35.1 The Proper Officer shall provide a copy of the Council's standing orders to a Councillor upon delivery of their declaration of acceptance of office and on the occasion of any changes
- 35.2 The Chairman's decision as to the application of standing orders at meetings shall be final.
- 35.3 A Councillor's failure to observe standing orders more than three times in one meeting may result in them being excluded from the meeting.
- 35.4 A register of existing policies and procedures of the Council shall be maintained and a copy be provided to members at each Annual Meeting of the Council.

## **36 GENERAL RULES OF REMOTE HELD MEETINGS**

**(Valid until 7th May 2021)**

- 36.1 Members (including the public) asked to mute their device when they are not speaking.
- 36.2 Roll call to be taken at the beginning of the meeting to determine those Councillors present for those who do not have a video link.
- 36.2 Members to state their name when they are speaking for those who do not have a video link.
- 36.4 Votes taken to be read back to ensure everyone's vote is recorded accurately.
- 36.5 The Chair to remind everyone to be respectful to each other.

### **Revisions:**

**20/05/2019** inclusion of :

- 3.18 The Property Committee will be automatically comprised of the Chairman and Vice Chairman of Council together with the Chairmen of all Council Committees, acting ex-officio, together with the Lead member of the Health & Safety Working Party,

### **Revisions:**

**17/02/2020** inclusion of:

- 3.19 All Committee or Working Party/Group's agendas shall include an item in respect of "*Climate Change*";
- 3.19 All members of Committees/Working Parties/Groups must take into account climate change issues when making decisions;
- 3.20 The Chair of a Committee or Working Party/Group must provide a report to full Council each quarter in respect of Climate Change issues pertinent to that Committee or Working Party/Group;
- 3.21 The Climate Change Working Party must review the reports referred to at 3.20 after each quarter and make further recommendations if required in respect thereof;
- 6.2 m) To receive, every quarter, a report in respect of Climate Change issues pertinent to that Committee or Working Party/Group

### **Revisions :**

**11/005/2020** - Based upon the NALC Model Orders July 2018, modified by this Council to support the new empowerment enshrined in the Coronavirus Act 2020 and associated 2020 Regulations.