

CONSTITUTION AND STANDING ORDERS of ILSTON COMMUNITY COUNCIL

1. THE COUNCIL

- a. The Council will be known as Ilston Community Council.
 - b. There are 11 members of the Council who will be elected by those people on the electoral register and who are entitled to vote in relevant elections.
- The Council will act within the framework of the law and regulations that affect Local Government

2. QUORUM

- a. The quorum for a meeting of the full Council will be four members.

3. MEETINGS

- a. The Council will meet once a month (usually last Wednesday of each month) except in the month of August. The Annual General Meeting will be in May followed by the ordinary meeting of the Council.
- b. All meetings and sub-committee meetings will be convened by a notice issued by the Clerk with at least three clear days notice given to members and the public.
- c. If the Clerk is unavailable then the chair/vice chair should convene the meeting and arrange for a minute to be kept of the meeting.
- d. A public notice will be placed on any Community notice boards informing the public of the details of the meetings and the contact details of the Clerk.

SUB COMMITTEES AND AD-HOC MEETINGS

A full meeting of the Council may agree that Sub committee(s) and ad hoc meetings may be formed as appropriate to carry out tasks specified by the full Council.

A sub committee should have a minimum of three members of whom two should be present to discuss matters and make recommendations to the full Council.

4. SPEAKERS AND GUESTS

- a. The Council can invite speakers and other guests to address the Council. Such arrangements to be made in consultation with the Chair and/or Vice Chair. Guest speakers will normally be taken as the first item at a meeting of the Council unless the meeting decided otherwise.
 - b. Members of the public can attend ordinary and sub committee meetings of the Council and may speak with the permission of the Council.
 - c. Similarly the press may attend meetings of the Council.
- Members of the public and the press can be excluded from the meeting for discussion on specific items for the reasons set out in statutory guidance relating to confidential items.

5. MINUTES

- a. The Clerk will take a minute of all meetings of the Council and record all decisions taken. The minutes will normally be presented to the subsequent meeting of the Council for approval.
- b. The clerk will retain a file of the minutes for three years before presenting them to any approved Archives Service for safe keeping.

6. CHAIR PERSON/VICE CHAIR PERSON

The election of the Chair person will be the first business of the annual meeting of the Council, the chairperson must be a member of the Council. Whether or not the Council has passed any standing orders, the Chairperson's procedural authority is derived from the Council as a whole and an individual councillor must obey his/her rulings because they are the rulings of the Council itself. It follows from this however that the Chairperson cannot overrule the Council and that a councillor who is dissatisfied by the Chairperson's ruling may invite the Council to disagree with

it. The authority of the Chairperson, as such, is limited to matters of procedure and neither increases or decreases his/her right (in comparison with other members) to discuss the merits of the particular case to Chairmanship, it confers no rights (other than the casting vote) on matters of policy above those possessed by other members. The chair and vice chair will provide overall leadership to the work of the Council and be responsible for guiding and advising the clerk on any urgent action required between meetings.

7. DECISION MAKING

a) Consensus

The Council will seek to reach decisions on the basis of discussion and reaching a consensus. The chair will guide such discussions and seek confirmation of any common position(s) that emerge through agreement on the words of a resolution to be recorded in the minutes.

b) Voting

Every decision must be made by a majority of the members present and voting. Amendments to a resolution will be voted upon before the main proposal.

Unless otherwise provided by the Council's standing orders the manner of voting at meetings of a Community Council must be by a show of hands.

Any member may request that the voting on a decision shall be recorded to show whether each member present and voting gave his/her vote for or against that question.

In the event of a tied vote the chair of the meeting can choose to exercise a casting vote if he/she so wishes.

A secret ballot can be held if requested by five members present at the meeting. The clerk will arrange to distribute a voting paper, and arrange to count the votes cast in any such ballot. The clerk will give the results to the chair of the meeting to be announced.

8. NOTICE OF BUSINESS

At least three clear days notice must be given before any meeting of a Community Council and a summons to attend the meeting, specifying the business proposed to be transacted at the meeting, signed by the proper officer of the Council, must be left or sent by post or e.mail to the usual place of residence of every member of the Council.

9. CLERK

The Clerk will be the proper financial officer of the Council

10 INTERNAL AUDIT

The Council will ensure that proper financial records are submitted for audit in accordance with the relevant rules and regulations

11. EXTERNAL AUDIT

The Clerk will ensure that proper financial records are submitted for audit in accordance with the relevant rules and regulations..

12. FINANCIAL RULES

a) Minor works (up to £500)

The Clerk is authorised to spend up to £500 on minor items in consultation with the chair and/or vice chair. Every cheque or other order for the payment of money by the Community Council must be signed by two members of the Council

b) Work between £500 and £5000

The Clerk will invite prices from three Companies/Providers. The Clerk can receive any prices submitted by the date specified and check they comply with the specification provided. The Clerk must normally make a report, with recommendations to the Council for approval, in order for the work to proceed.

c) Over £5000

The Council will invite sealed tenders to a specification supplied to three potential Providers. A date will be set for return of the tenders and they will be opened at a meeting of the full Council.

EXCEPTIONS

Exceptions to the above rules can be allowed where a specific project is being undertaken by members or where the clerk believes emergency action is required in the interest of public safety or to protect the legal position of the Council. The chair should be consulted, where possible, prior to such expenditure.

13. ANNUAL MEETING

The annual meeting of the Council must be held in May of each year, except in the year of ordinary elections of community Councillors. Then the annual meeting of the Community Council must be held on, or within fourteen days after the day on which the Councillors elected at that election take office. The annual meeting will conduct the business specified on the agenda and include:

Election of Chairperson
Election of Vice Chairperson
Election of Sub Committees
Election of Internal Auditor
Financial Report
Questions from the Public
Reports

Residents of the community are entitled to attend the annual meeting and ask questions about the business, finance or other issues relevant to the Council.

14. EMPLOYMENT

The Council can employ a Clerk and caretaker, and can retain other staff or contractors as necessary to complete the work of the Council.

15. ASSETS

The Council can make arrangements to transfer assets etc to the management of other organisations subject to discussion and decision by the Council, satisfying them, taking professional advice as appropriate, that the alternative arrangements will fulfil the purposes required by the Council.

16. GRANTS

a) Grant Offers

The Council is entitled to make grant offers in accordance with their powers for any lawful purpose consistent with the work of the Council.

b) Grant Claims

The Council can also vote to apply for grants etc from outside bodies in support of projects, which benefit the village and surrounding area.

17. VACANCIES AND CO OPTIONS

- a. After advertising by public notice in accordance with the Local Government Act 1972 any vacancy that occurs, the Council can co-opt eligible electors to fill vacancies.
- b. Expressions of interest in being co-opted should be submitted to the Council

18. RELATIONSHIP WITH COUNTY COUNCILLOR

- a. If the County Councillor for the community is not a directly elected member of the Community Council, he/she will be a member of the public, and therefore there may be times when the Community Council will need to exclude his/her presence, for example when they need to retire into private session
- b. The Community Council notes that the County Councillor can choose to attend as appropriate to the business under discussion but will request that he/she attends at least one a quarter to submit a report and receive representations on any business relating to the County Council or his/her work as a Councillor.

19. DISPUTE

Any disputes over the interpretation of these rules will be resolved by reference to any models or good practice published by One Voice Wales and/or the Welsh Assembly Government. If matters remain unresolved One Voice Wales will be asked to offer advice.

20. ALTERATION

This Constitution was formulated in May 2011 and may be altered by majority vote at a specially convened meeting for that purpose.

STANDING ORDERS OF ILSTON COMMUNITY COUNCIL

1. MEETINGS

- a) Meetings shall not take place in premises, which at the time of the meeting, are used for the supply of alcohol unless no other premises are available free of charge or at a reasonable cost.
- b) When calculating the 3 clear days for notice of a meeting to Councillors and the public, 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 shall not count.
- c) 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.
- d) Subject to standing order 1(c) above, members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included in the agenda.
- e) The period of time which is designated for public participation in accordance with standing order 1(d) above shall not exceed 10 minutes.
- f) Subject to standing order 1(e) above, each member of the public is entitled to speak once only in respect of business itemised on the agenda and shall not speak for more than 10 minutes.
- g) In accordance with standing order 1(d) above a question asked by a member of the public during a public participation session at a meeting need not require an immediate response or debate.
- h) In accordance with standing order 1(g) above, the Chair person may direct that a response to a question posed by a member of the public be referred to a Councillor for an oral response or to the Clerk for a written or oral response.
- i) A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- j) A person shall stand when requesting to speak and when speaking except when a person has a disability or is likely to suffer discomfort. The Chair person may at any time permit an individual

to be seated when speaking.

k) Any person speaking at a meeting shall address his comments to the Chair person.

l) Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chair person shall direct the order of speaking.

m) Photographing, recordings, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's prior written consent.

n) In accordance with standing order 1(c) above the press shall be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.

o) Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair person may in his absence be done by, to or before the Vice-Chair person.

p) The Chair person if present, shall preside at a meeting. If the Chair person is absent from a meeting, the Vice Chair person, if present, shall preside. If both the Chair person and the Vice Chair person are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.

q) Subject to standing order, 1(y) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.

r) The Chair person may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote.

s) Unless standing orders provide otherwise, voting on any question shall be by a show of hands. At the request of a Councillor, the voting on any question shall be recorded so as to show whether each Councillor present and voting gave his vote for or against that question.

t) The minutes of a meeting shall record the names of Councillors present and absent.

u) If prior to a meeting, a Councillor has submitted reasons for his absence at the meeting which is then approved by a resolution, such resolution shall be recorded in the minutes of the meeting at which the approval was given.

v) The code of conduct adopted by the Council shall apply to Councillors in respect of the entire meeting.

w) An interest arising from the code of conduct adopted by the Council, the existence and nature of which is required to be disclosed by a Councillor at a meeting shall be recorded in the minutes.

x) No business may be transacted at a meeting unless at least one third of a whole number of members of the Council are present and in no case shall the quorum of a meeting be less than 3.

y) If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be adjourned. Any outstanding business of a meeting so adjourned shall be transacted at a following meeting.

z) Meetings shall not exceed a period of 3 hours.

2. ORDINARY COUNCIL MEETINGS

See also standing order 1 above.

- a) In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the new Councillors elected take office.
- b) In a year which is not an election year, the annual meeting of a Council shall be held on such a day in May as the Council may direct.
- c) If no other time is fixed, the annual meeting of the Council shall take place at 7pm.
- d) The Chair person may determine the start time of the meeting.
- e) In addition to the annual meeting of the Council, other ordinary meetings may be held in each year on such dates and times as the Council may direct.
- f) The election of the Chair person and Vice Chair person (if any) of the Council shall be the first business completed at the annual meeting of the Council.
- g) The Chair person of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting unless his successor is selected at the next annual meeting of the Council.
- h) The Vice Chair person of the Council, if any, unless he resigns or become disqualified, shall hold office until immediately after the election of the Chair person of the Council at the next annual meeting of the Council.
- i) In an election year, if the current Chair person of the Council has not been re-elected as a member of the Council, he shall preside at the meeting until a successor Chair person of the Council has been elected. The current Chair person of the Council shall not have an original vote in respect of the election of the new Chair person of the Council but must give a casting vote in the case of an equality of votes.
- j) In an election year, if the current Chair person of the Council has been re-elected as a member of the Council, he shall preside at the meeting until a new Chair person of the Council has been elected, he may exercise an original vote in respect of the election of the new Chair person of the Council and must give a casting vote in the case of an equality of votes.
- k) Following the election of the Chairperson of the Council and Vice Chair person (if any), of the Council at the annual meeting of the Council, the order of business shall be as follows:
 - i. In an election year, delivery by Councillors of their declarations of acceptance of office
 - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council and to receive and note minutes of and/or to determine recommendations made by committees.
 - iii. Review of delegation arrangements to committees, sub-committees.
 - iv. Review of the terms of references for committees
 - v. Receipt of nominations to existing committees
 - vi. Appointment of any new committees, confirmation of the terms of reference, the number of members (including, if appropriate, substitute Councillors) and receipt of nominations to them.
 - vii. Review and adoption of appropriate standing orders and financial regulations
 - viii. Review of arrangements, including any charters, with other local authorities and review of contributions made to expenditure incurred by other local authorities.
 - ix. Review of representation on or work with external bodies and arrangements for reporting back.
 - x. Review of inventory of land and assets including buildings and office equipment
 - xi. Review and confirmation of arrangements for insurance cover in respect of all insured risks.
 - xii. Review of the Councils memberships of other bodies.
 - xiii. Establishing or reviewing the Councils complaints procedure.
 - xiv. Establishing or reviewing the Councils procedures for handling requests made under the xv. Freedom of Information Act 2000 and the Data Protection Act 1998.

- xv. Establishing or reviewing the Councils policy for dealing with the press/media.
- xvi. Setting the dates, times and place of ordinary meetings of the full Council for the year ahead.

3. PROPER OFFICER

a. The Councils Proper Officer shall be either (i) the Clerk or such other employee as may be nominated by the Council from time to time or (ii) such other employee appointed by the Council to undertake the role of the Proper Officer during the Proper Officer's absence. The Proper Officer and the employees appointed to act such during the Proper Officer's absence shall fulfil the duties assigned to the Proper Officer in standing orders.

b. The Council's Proper Officer shall do the following:

i. Sign and serve on Councillors by e.mail, delivery or post at their residences 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.

ii. 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 sub-committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by Councillors is signed by them)

iii. Subject to the standing orders 4(a)-(e) below, include in 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.

iv. Convene a meeting of full Council for the election of a new Chair person of the Council, occasioned by a casual vacancy in his office, in accordance with standing order [3(b)i] above.

v. Make available for inspection the minutes of the meeting

vi. Receive and retain copies of byelaws made by other Local Authorities.

vii. Receive and retain declarations of acceptance of office from Councillors

viii. Retain a copy of every Councillors register of interests and any changes to it and keep copies of the same available for inspection.

ix. Keep proper records required before and after meetings.

x. Process all requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council's procedures relating to the same.

xi. Receive and send general correspondence and notices of behalf of the Council except where there is a resolution to the contrary.

xii. Manage the organisation, storage of and access to information held by the Council in paper and electronic form.

xiii. Arrange for legal deeds to be signed by 2 Councillors and witnessed.

xiv. Arrange for the prompt authorisation, approval and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations.

xv. Record every planning application notified to the Council and the Council's response to the local Planning Authority in a book for such purpose.

xvi. Retain custody of the seal of the Council (if any) which shall not be used without a resolution to that effect

xvi. Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.

4. MOTIONS REQUIRING WRITTEN NOTICE

a. In accordance with standing order 3(b)(iii) above, no motion may be moved at a meeting unless it is included in the agenda and the mover has given written notice of its wording to the Council's Proper Officer at least 3 clear days before the next meeting.

b. The Proper Officer may, before including a motion in the agenda received in accordance with standing order 4(a) above, correct obvious grammatical or typographical errors in the wording of the motion.

c. If the Proper Officer considers the wording of a motion received in accordance with standing order 4(a) above is not clear in meaning then he shall ask the mover of the motion resubmits it in writing to the Proper Officer in clear and certain language at least 3 clear days before the meeting.

d. If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Chair person 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 or rejected from the agenda.

e. Notice of every motion received in accordance with the Council's standing order shall be numbered in the order received and shall be entered in a book, which shall be open to inspection by all Councillors.

f. Every motion rejected in accordance with the Council's standing orders shall be duly recorded with a note by the Proper Officer giving reasons for its rejection in a book for that purpose, which shall be open to inspection by all Councillors.

g. Every motion and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area or its residents.

5. MOTIONS NOT REQUIRING WRITTEN NOTICE

a. Motions in respect of the following matters may be moved without written notice.

- i. To appoint a person to preside over a meeting
- ii. To approve the absence of Councillors
- iii. To approve the accuracy of the minutes of the previous meeting
- iv. To correct any inaccuracy in the minutes of the previous meeting
- v. To dispose of business, if any, remaining from the last meeting
- vi. To alter the order of business on the agenda for reasons of urgency or expenditure
- vii. To proceed to the next business on the agenda
- viii. To close or adjourn debate
- ix. To refer by formal delegation a matter to a committee or to a sub-committee
- x. To appoint a committee or sub-committee or any Councillors (including substitutes) thereto
- xi. To receive nominations to a committee or sub-committee
- xii. To dissolve a committee or sub-committee
- xiii. To note the minutes of a meeting of a committee or sub-committee
- xiv. To consider a report and/or recommendations made by a committee or a sub-committee or an employee
- xv. To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
- xvi. To authorise legal deeds
- xvii. To authorise the payment of monies up to £5000.00
- xviii. To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
- xix. To extend the time limit for speeches
- xx. To exclude the press and public for all or part of a meeting.
- xxi. To silence or to exclude from the meeting a Councillor or a member of the public for disorderly

conduct.

xxii to give the consent of the Council if such consent is required by standing orders

xxiii to suspend any standing order except those which are mandatory by law.

xxiv to adjourn the meeting

xxv. To appoint representatives to report back the activities of outside bodies

xxvi to answer questions from Councillors.

b. If a motion falls within the terms of reference of a committee or sub-committee a referral of the same may be made to such committee or sub-committee provided that the Chair person may direct for it to be dealt with at the present meeting for reasons of urgency or expenditure.

6. RULES OF DEBATE

a. Motions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Chair persons direction for reasons of expenditure.

b. Subject to standing orders 4(a)-(e) above, a motion shall not be considered unless it has been proposed and seconded.

c. Subject to standing order 3(b)(iii) above, a motion included in an agenda not moved by the Councillor who tabled it, may be treated as withdrawn.

d. A motion to amend an original or substantive motion shall not be considered unless proper notice has been given after the original substantive motion has been seconded and notice of such amendment shall if required by the Chair person, be reduced to writing and handed to the Chair person, who shall determine the order in which they are considered.

e. A Councillor may move amendments to his own motion, if a motion has already been seconded, an amendment to it shall be with the consent of the seconder.

f. An amendment to the motion shall be either:

- i. to leave out words
- ii. to add words
- iii. to leave out words and add other words

g. A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration.

h. Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chair person. No further amendment to a motion shall be moved until the previous amendment has been disposed of.

i. Subject to standing order 6(h) above, one or more amendments may be discussed together if the Chair person considers this expedient but shall be voted upon separately.

j. Pursuant to standing order 6(h) above, the number of amendments to an original or substantive motion, which may be moved by a Councillor is limited to one.

k. If an amendment is not carried, other amendments shall be moved in the order directed by the Chair person.

l. If an amendment is carried, the original motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendments may be

moved.

m. The mover of a motion or the mover of an amendment shall have a right of reply, not exceeding 5 minutes.

n. Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply in respect of the substantive motion at the very end of debate and immediately before it is put to the vote.

o. Subject to standing orders 6(m) and (n) above, a Councillor may not speak further in respect of any one motion except to speak one on an amendment moved by another Councillor or to make a point of order or to give a personal explanation.

p. During the debate of a motion, a Councillor may interrupt only on a point of order or a personal explanation and the Councillor who was interrupted shall stop speaking. A Councillor raising a point of order shall identify the standing order which he considers has been breached or specify the irregularity in the meeting he is concerned by.

q. A point of order shall be decided by the Chair person and his decision shall be final.

r. With the consent of the seconder and/or of the meeting, a motion or amendment may be withdrawn by the proposer. A Councillor shall not speak upon the said motion or amendment unless permission for the withdrawal of the motion or amendment has been refused.

s. Subject to standing order 6(o) above, when a Councillor's motion is under debate no other motion shall be moved except.

- i. to amend the motion
- ii. to proceed to the next business
- iii. to adjourn the debate
- iv. to put the motion to a vote
- v. to ask a person to be silent or for him to leave the meeting
- vi. to refer a motion to a committee or sub-committee for consideration
- vii. to exclude the public and press
- viii. to adjourn the meeting
- ix. to suspend any standing order, except those which are mandatory.

t. In respect of standing order 6(s)(iv) above, the Chair person shall first be satisfied that the motion has been sufficiently debated before it is seconded and put to the vote. The Chair person shall call upon the mover to the motion under debate to exercise or waive his right of reply and shall put the motion to the vote after that right has been exercised or waived. The adjournment of a debate or of the meeting shall not prejudice the mover's right of reply at the resumption.

7. CODE OF CONDUCT

a. All Councillors shall observe the code of conduct adopted by the Council

b. Councillors may exercise rights contained in the standing order 7(d) below, only if members of the public are permitted to (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted.

c. Councillors who have a prejudicial interest in relation to any item of business being transacted at that meeting may (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted but must, thereafter, leave the room or chamber.

8. QUESTIONS

a. A Councillor may seek an answer to a question concerning any business of the Council provided 3 clear days notice of the question has been given to the Proper Officer.

b. Questions not related to items of business on the agenda for a meeting shall only be asked during the part of the meeting set aside for such questions.

c. Every question shall be put and answered without discussion.

9. MINUTES

a. If a copy of the draft minutes of a preceding meeting has been circulated to Councillors no later than the day of service of the summons to attend the scheduled meeting they shall be taken as read.

b. No discussion of the draft minutes of a preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the minutes shall be raised in accordance with standing order 5(a)(iv) above.

c. Minutes including any amendments to correct their accuracy shall be confirmed by resolution and shall be signed by the Chair person of the meeting and stand as an accurate record of the meeting to which the minutes relate.

d. If the Chair person 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 the same effect:

“The Chair person 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 majority of the () and the minutes are confirmed as an accurate record of the proceedings”

e. Upon a resolution which confirms the accuracy of the minutes of a meeting, any previous draft minutes or recordings of the meeting shall be destroyed.

10 DISORDERLY CONDUCT

a. No person shall obstruct the transaction of business at a meeting or behave offensively or improperly.

b. If, in the opinion of the Chair person, there has been a breach of standing order 10(a) above, the Chair person shall express that opinion and thereafter any Councillor (including the Chair person) may move that the person be silenced or excluded from the meeting, and the motion, if seconded, shall be put forthwith and without discussion.

c. If a resolution made in accordance with standing order 10(b) above, is disobeyed, the Chair person may take such further steps as may reasonably be necessary to enforce it and/or he may adjourn the meeting.

11. RESCISSION OF PREVIOUS RESOLUTIONS

a. A resolution (whether affirmative or negative) of the Council shall not be reversed with 8 months except either by a special motion, the written notice whereof bears the names of at least 3 Councillors of the Council, or by a motion moved in pursuance of the report or recommendations of a committee.

b. When a special motion or any other motion moved pursuant to standing order 11(a) above, has been disposed of, no similar motion may be moved within a further 6 months.

12. VOTING ON APPOINTMENTS

When more than 2 persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process

shall continue until a majority of votes is given in favour of one person. Any tie may be settled by the Chair person's casting vote.

13.. EXPENDITURE

- a. Any expenditure incurred by the Council shall be in accordance with the Council's financial regulations.
- b. The Council's financial regulations shall be reviewed one a year.
- c. 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 or sub-committee.

14. EXECUTION AND SEALING OF LEGAL DEEDS

- a. A Legal Deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.
- b. In accordance with a resolution made under standing order 14(a) above, 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.

15. COMMITTEES

- a. The Council may, at its annual meeting appoint standing committees and may at any other time appoint such other committees as may be necessary, and:
 - i. shall determine their terms of reference
 - ii. may permit committees to determine the dates of their meetings
 - iii. shall appoint and determine the term of office of Councillor or non-Councillor members of such a committee (unless the appointment of non-Councillors if prohibited by law) so as to hold office no later than the next annual meeting.
 - iv. may appoint substitute Councillors to a committee whose role is to replace ordinary Councillors at a meeting of a committee if ordinary Councillors of a committee have confirmed to the Proper Officer 3 days before the meeting that they are unable to attend.
 - v. an ordinary member of a committee who has been replaced at a meeting by a substitute member (in accordance with standing order 15(a)(iv) above), shall not be permitted to participate in debate or vote on business at that meeting and may only speak during any public participation during the meeting.
 - vi. may in accordance with standing orders, dissolve a committee at any time.

16. SUB-COMMITTEES

- a. Unless there is a Council resolution to the contrary, every committee may appoint a sub-committee whose terms of reference and members shall be determined by resolution of the committee.

17. EXTRAORDINARY MEETINGS

- a. The Chair person of the Council may convene an extraordinary meeting of the Council at any time.
- b. If the Chair person of the Council does not or refuses to call an extraordinary meeting of the Council within 7 days of having been requested to do so by two Councillors, then those 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 signed by the two Councillors

c. The Chair person of a committee or a sub-committee may convene an extraordinary meeting of the committee or sub-committee at any time.

d. If the Chair person of a committee or a sub-committee does not or refuses to call an extraordinary meeting within 7 days of having been requested by 2 Councillors, those 2 Councillors may convene an extraordinary meeting of a committee or a sub-committee. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by 2 Councillors

18. ADVISORY COMMITTEES

a. The Council may appoint advisory committees comprised of a number of Councillors and non-Councillors

b. Advisory committees and any sub-committees may consist wholly of persons who are non-Councillors.

19. ACCOUNTS AND FINANCIAL STATEMENT

a. All payments by the Council shall be authorised, approved and paid in accordance with the Council's financial regulations which shall be reviewed at least annually.

b. The Responsible Financial Officer shall supply to each Councillor as soon as practicable after 31st 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.

This statement should include a comparison with the budget for the financial year. A Financial Statement prepared on the appropriate accounting basis (receipts and payments, or income and expenditure for a year to 31st March shall be presented to each Councillor before the end of the following month of May. The Statement of accounts of the Council (which is subject to external audit), including the annual governance statement, shall be presented to Council for formal approval before 30 June.

20. ESTIMATES/PRECEPTS

a. The Council shall approve written estimates for the coming financial year at its meeting before the end of January.

b. Any committee desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year no later than December

21. CANVASSING OF AND RECOMMENDATIONS BY COUNCILLORS

a. Canvassing Councillors or the members of a committee or sub-committee, directly or indirectly, for appointment to or by the Council may at the discretion of the Council disqualify the candidate from such an appointment. The Proper Officer shall disclose the requirements of this standing order to every candidate.

b. A Councillor or a member of a committee or sub-committee can suggest but shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for promotion, but nevertheless, any such person may give a written testimonial of a candidates ability, experience, character for submission to the Council with an application for appointment.

c. The standing order shall apply to tenders as if the person making the tender were a candidate for an appointment.

22. INSPECTION OF DOCUMENTS

Subject to standing orders to the contrary or in respect of matters which are confidential, a Councillor may, for the purpose of his official duties (but not otherwise) inspect any document in possession of the Council or a committee or a sub-committee, and request a copy for the same purpose. The minutes of the meetings of the Council, its committees or sub-committees shall be available for inspection by Councillors

23. CONFIDENTIAL BUSINESS

Councillors shall not disclose information given in confidence or which they believe or ought to be aware is of a confidential nature

24. FREEDOM OF INFORMATION ACT 2000

a. All requests for information held by the Council shall be processed in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000;

b. Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Chair person of the appropriate committee. The said committee shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000 including exercising the powers of the Proper Officer in respect of Freedom of Information requests set out under standing order 3(b)(x) above.

25. RELATIONS WITH PRESS/MEDIA

a. All requests from the press or other media for an oral or written statement or comment from the Council shall be processed in accordance with the Council's policy in respect of dealing with the press and/or other media.

b. In accordance with the Council's policy in respect to dealing with the press and/or other media, Councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media

26. LIAISON WITH COUNTY COUNCILLORS

a. An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the Councillor of the District and County or Unitary Council as may exist at the time.

27. FINANCIAL MATTERS

a. The Council shall consider and approve financial regulations drawn up by the responsible Financial Officer, which shall include detailed arrangements in respect of the following:

- i. the accounting records and systems of internal control
- ii. the assessment and management of financial risks faced by the Council
- iii. the work of the internal auditor 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 payment
- v. procurement policies (subject to standing order 27(b)) below, including the setting of values for different procedures where the contract has an estimated value of less than £60,000

b. Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £60,000 shall be procured on the basis of a formal tender as summarised in standing order 27(c) below.

- c. Any formal tender process shall comprise the following steps:
- i. a public notice of intention to place a contract to be placed in a local newspaper or on the Sell to Wales website or similar Government arrangement
 - ii. a specification of the goods, materials, services and the execution of works shall be drawn up.
 - iii. tenders are to be sent, in a sealed marked envelope, to the Proper Officer by the stated date and time and shall be opened in the presence of the Clerk and at least one councillor and reported back to Committee.
 - iv. The Council is not bound to accept the lowest or any tender.
 - v. If the value of the Contract exceeds the relevant thresholds then the Council must have regard to the Public Contracts Regulations and any EC procurement Rules that may apply.

28 ALLEGATIONS OF BREACH OF CODE OF CONDUCT

- a. On receipt of a notification of any breach of the Code of Conduct the Chairperson shall convene a committee to deal with the complaint.
- b. If the complaint has been made by the Proper Officer then the Chairperson shall nominate some other person to assume the duties of the Proper Officer for the purpose hearing the complaint.
- c. The subject matter of notifications shall be confidential, and (in so far as it is possible to do so by law) the Council (including the Proper Officer and the Chair person) shall take the steps set out below, together with other steps considered necessary to maintain confidentiality.
 - i. draft the summonses and agendas in such a way that the identity and subject matter of the complaint are not disclosed
 - ii. ensure that any background papers containing the information set out in standing order 28(a) above are not make public.
 - iii. ensure that the public and press are excluded from meetings as appropriate
 - iv. ensure that the minutes of the meetings preserve confidentiality.
 - v. consider any liaison that may be required with a person or body with statutory responsibility for the investigation of this matter
- e. The committee investigating the complaint shall have power to:
 - i. seek documentary and other evidence from the person or body with statutory responsibility for investigation of the matter.
 - ii. seek and share information relevant to the complaint.
 - iii. grant the member involved a financial indemnity in respect of legal costs, which shall be in accordance with the law and subject to approval by a meeting of the full Council.

29. VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

a. Any or every part of the standing orders, except those which are mandatory by law, may be suspended by resolution in relation to any specific item of business.

b. A motion to permanently add to or to vary or to revoke one or more of the Council's standing orders not mandatory by law shall not be carried unless two thirds of the Councillors at a meeting of the Council vote in favour of the same.

30. STANDING ORDERS TO BE GIVEN TO COUNCILLORS

a. The Proper Officer shall provide a copy of the Council's standing orders to a Councillor upon delivery of his declaration of acceptance of office.

b. The Chair persons decision as to the application of standing orders at meetings shall be final.

c. A Councillors failure to observe standing orders more than 3 times in one meeting may result in him being excluded from the meeting in accordance with standing orders.