



Yateley Town Council Standing Orders June 2019

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MEETINGS

1. Meetings of the Town Council will be held in a lawful place determined by the Town Council in accordance with the calendar of meetings as approved. Meetings will commence at 7.30pm. Any change to the start or date of meetings will be detailed in the summons for each meeting. Meetings will finish by 10pm unless extended by resolution at the time.
2. 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 the meeting shall be by a resolution which shall give reasons for the public's exclusion.
3. In accordance with standing order 2 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.
4. A person may not orally report or comment about a meeting as it takes place if he or she is present in the room at the meeting of the Town Council or its committees but otherwise may:
 - a) film, photograph or make an audio recording of a meeting;
 - b) use any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later;
 - c) report or comment on the proceedings in writing during or after a meeting or orally report or comment after the meeting.
5. The statutory Annual Meeting of the Town Council in an election year will be held within 14 days following the fourth day after the ordinary day of election to the Town Council and, in a year when no elections are held, on the first or second Monday after the first Thursday in May, except when the Monday is a public holiday when the Town Council will agree an alternative date.
6. The other statutory meetings of the Town Council will be held on Mondays on dates agreed by the Town Council, along with the other meetings in accordance with a six-weekly cycle, as published in the calendar of meetings.
7. (1) An extraordinary meeting of the Town Council may be called at any time by the Town Mayor.

(2) If the Town Mayor does not or refuses to call an extraordinary meeting of the Town Council within 7 days of having been requested to do so by two councillors, those two councillors may convene an extraordinary meeting of the Town Council. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two councillors.
8. The summons and agenda for meetings will be served electronically three clear days (i.e. excluding the day of publication, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break, a bank holiday or a day appointed for public thanksgiving or mourning) before a meeting of the Town Council.
9. Notice of the time and place of the meeting shall be published at the Town Council offices. If the meeting is called by members of the Town Council, the notice must be signed by those members and specify the business to be transacted.
10. If a Town Councillor has requested a hard copy of the agenda the Councillor may instruct the Proper Officer that they wish summonses to be sent to an address other than their residence.
11. Failure to receive a summons by any member of the Town Council will not affect the validity of a meeting of the Town Council.
12. Except in the case of business required in accordance with the Local Government Act 1972, or any other act, or any item of urgent business raised in accordance with standing orders, no other matters will be discussed unless they are included in the summons.

TOWN MAYOR

13. The first business to be transacted at the annual meeting of the Town Council will be the election of a Town Mayor for the coming municipal year.

14. If the Town Mayor at the start of the meeting is no longer a Town Councillor following an election or resignation, he or she will not be entitled to vote in the election of his or her successor, except in accordance with SO 15. In the event of neither the outgoing Town Mayor nor Deputy Town Mayor being present, the Town Clerk will call for nominations for the new Town Mayor.
15. If the votes cast are of equal number, the presiding Town Mayor will have a casting vote in addition to any other vote he or she may have. If the votes cast are of equal number after the Town Mayor has made the casting vote, then the meeting shall stand adjourned. If, following the resumption of the meeting, votes are still tied, the tie shall be resolved by lots.
16. The Town Mayor shall, unless he or she resigns or becomes disqualified, continue in office until a successor is elected.
17. During the term of office, the Town Mayor will continue to be a member of the Town Council, notwithstanding the provisions of the Local Government Act 1972 relating to the retirement of councillors.
18. The Town Council may pay the Town Mayor a reasonable allowance to meet the expenses of office.

DEPUTY TOWN MAYOR

19. At the annual meeting of the Town Council, a Deputy Town Mayor may be elected.
20. The Deputy Town Mayor shall, unless he or she resigns or becomes disqualified, continue in office until immediately after the election of the Town Mayor at the next annual meeting of the Town Council and during that time will continue to be a member of the Town Council, notwithstanding the provisions of the Local Government Act 1972 relating to the retirement of councillors.
21. Anything authorised to be done by the Town Mayor may be done by the Deputy Town Mayor in his or her absence.
22. The Town Council may pay the Deputy Town Mayor a reasonable allowance to meet the expenses of the office.

CHAIR OF THE FINANCE, POLICY & GENERAL PURPOSES COMMITTEE

23. If both the Town Mayor and the Deputy Town Mayor are absent at any formal event, the Chair of the Finance, Policy & General Purposes Committee will take precedence in civic matters.
24. The position of Chair of the Finance & Policy Committee will be combined with the role of Leader of the Council.
25. The Leader of the Council will normally be the leader of the largest political grouping on the Town Council.
26. The role of Leader of the Council is to develop Town Council policy, with the chairs of the other standing committees and the officers, and to ensure that agreed policies are properly implemented.

CHAIR OF THE MEETING

27. At a meeting of the Town Council, the Town Mayor, if present, shall preside. In the absence of the Town Mayor, the Deputy Town Mayor shall preside.
28. If both are absent, the Chair of the Finance and Policy Committee shall preside. In the absence of all three, the members present will elect another councillor to preside.
29. All powers and duties will be exercised by the person presiding at the meeting.

QUORUM

30. Subject to SO 31 no business will be undertaken unless one third (rounded up to the next whole number) of the total numbers of members are present.
31. If more than six members are disqualified at the same time, the quorum will be one half of those remaining.
32. If no quorum is reached when the Town Council meets, or if enough members leave to render the meeting inquorate, any remaining business will be dealt with at the next meeting, or on a day to be fixed by the Town Mayor. A quorum must be formed within fifteen minutes of the start time specified on the summons.

ORDER OF BUSINESS

33. At the Annual Meeting of the Council the first business will be
 - a) to elect a Town Mayor
 - b) in an election year, to receive from the Town Mayor and members their signed Declaration of Acceptance of Office forms, or to agree a date by which the signed forms will be received
 - c) in a non-election year, to receive the Town Mayor's signed Declaration of Acceptance of Office form, or to agree a date by which the signed form will be received
 - d) to elect a Deputy Town Mayor
 - e) to make appointments to standing committees and appoint chairs and vice-chairs to individual committees
 - f) to make other appointments as necessary
 - g) to inspect any deeds and trust documents as necessary

At this point the order of business will be as detailed in SO 34 below.

34. At every meeting other than the Annual Meeting of the Town Council, the first business will be to appoint a chair pro tem should the Town Mayor, Deputy Town Mayor and Chair of Finance, Policy and General Purposes Committee be absent, subject to SO 28 above.
35. Once a year, normally in the autumn, minutes of the Personnel Committee will be presented detailing the pay and conditions of service of all Town Council employees.
36. After the first business has been completed, the order of business will be as follows, although this may be varied, on the presiding chair's discretion,
 - a) to approve and sign the minutes of the previous meeting
 - b) to deal with any business expressly required by statute to be done
 - c) to receive and deal with any urgent communication as the presiding chair or clerk may wish to present
 - d) to receive and answer any questions from councillors
 - e) to suspend the meeting, in order to receive comment and answer questions from members of the public, for a period not exceeding 15 minutes
 - f) to receive and adopt committee minutes
 - g) to deal with any other business specified in the summons.

NOTICES OF MOTION

37. Notice of every motion other than a motion moved under SO 42 moved without notice, shall be given in writing, signed by all those members giving the notice, and delivered at least seven days prior to the meeting (not including the day of the meeting or the day of deliverance), to the office of the Town Clerk, who will date it, number it in the order in which it is received, and enter the details into a book available for public inspection.
38. The Town Clerk will then set out in the summons of the next meeting all motions received, unless a specific date for raising the motion has been provided by the member, or it is subsequently withdrawn.

39. If the motion is not moved by the signatory or another councillor on his/her behalf, it will be treated as withdrawn unless it has been postponed with the approval of the Town Council, in which case, it must be submitted again.
40. If, in the view of those members present, the subject of any motion is better dealt with by a standing committee, then the motion will be referred to that committee without further discussion.
41. Every motion must be relevant to the powers and duties of a Parish / Town Council and affect the residents of the parish.
42. The following motions and amendments may be moved without notice.
To:
 - a) appoint a chair for the meeting
 - b) correct the minutes
 - c) approve the minutes
 - d) alter the order of business
 - e) proceed to the next business
 - f) close or adjourn the debate
 - g) refer a matter to a committee
 - h) appoint a committee and/or members to that committee
 - i) receive comments and answer questions from the public after suspension of the meeting for a period not exceeding 15 minutes, unless extended by resolution of the Town Council
 - j) authorise the sealing of documents
 - k) amend a motion or a recommendation under discussion
 - l) give leave to withdraw a motion or amendment
 - m) extend the time limit for speeches
 - n) consider, otherwise than at the Personnel Committee, a matter affecting an employee of the Town Council
 - o) exclude the press
 - p) exclude the public
 - q) silence or eject a member named for misconduct
 - r) invite a member having an interest in a matter under debate to remain
 - s) give consent of the Town Council where such consent is required by these standing orders
 - t) adjourn the meeting for refreshments
 - u) suspend any standing order except those which are mandatory by law.

QUESTIONS

43. At any meeting, a member may ask the chair of the committee any question about the reports or proceedings of the committee being presented to the Town Council, provided the question is being asked during consideration of the item and before the item is concluded.
44. A member of the Town Council may ask the Town Mayor, or the chair of a committee, any question on any matter in relation to which the Town Council has powers, interests or responsibilities, provided the member gives the text of the question to the Town Clerk three clear days prior to the meeting at which the question is to be asked.
45. At all times, the member to whom the question is put may decline to respond.
46. The answer to a question may take the following forms:
 - A. a direct oral answer
 - B. a reference to a publication of the Town Council
 - C. a written answer circulated to all members
 - D. an oral answer by an officer present at the meeting as requested by the Town Mayor, provided that the officer may decline to respond.

REPORTING

47. Subject to SO 48, 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.

48. A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.
49. 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.

MINUTES

50. Minutes of meetings will be consecutively numbered and placed in a book. Minutes will be signed and each page initialled at the next meeting of the Town Council by the presiding chair. A copy of the minutes of each committee meeting will be sent to each member prior to the next meeting of the Town Council.
51. The presiding chair will put the question that the minutes of the meeting held on the specified date will be approved and signed as a correct record.
52. No discussion, other than matters arising, will take place about the minutes except their accuracy. Any question about accuracy will be raised as a motion. As soon as it has been dealt with the minutes will be signed. The draft minutes or recordings of the meeting for which minutes exist shall be destroyed thereafter.

RULES OF DEBATE FOR MEETINGS

53. As set out below:
 - A. A resolution or amendment will not be discussed unless it has been proposed and seconded, and unless proper notice has been given. It will, at the discretion of the presiding chair, be provided in writing before it is put to the Town Council.
 - B. A member when seconding a resolution or amendment may reserve their speech until later in the debate.
 - C. A member will direct his/her speech to the question under debate, or to a personal explanation, or to a question of order.
 - D. No speech shall exceed 5 minutes.
 - E. An amendment will be either to leave words out; leave words out and insert others, or insert new words.
 - F. An amendment will not have the effect of negating the motion.
 - G. If an amendment is carried, the resolution, as amended, will become the resolution. Any further debate will be on the amended resolution only.
 - H. A further amendment will only be allowed once all previous amendments have been dealt with.
 - I. The mover of a resolution or amendment will have a right of reply.
 - J. A member, other than the mover of the resolution, will not, without permission of the Town Council, speak more than once, except to move an amendment or further amendment, or on a point of order, or personal explanation, or to move the closure of debate.
 - K. A motion or amendment may be withdrawn by the proposer only with the unanimous support of the remainder of the Town Council. This can only be given without further debate.
 - L. When a resolution is under debate no other resolution can be moved with the following exceptions:

1. To amend the resolution
2. To proceed to the next business
3. To adjourn the debate
4. To put the question
5. That a named member be told to stop speaking
6. That a named member be told to leave the meeting
7. That the resolution be referred to a committee
8. To exclude the press, public or both
9. To adjourn the meeting.

54. a) The ruling of the presiding chair on a point of order or the admissibility of a personal explanation will not be discussed.
b) Members will address the presiding chair.
55. The mover of a resolution will have the right to reply immediately before the resolution is put to the vote. If an amendment is proposed, the mover of the amendment will be entitled to reply immediately before the amendment is put to the vote. A member exercising a right to reply will not introduce a new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.
56. A member may, with the consent of his/her seconder, move amendments to his/her resolution.
57. During a debate, a member, not having previously spoken, may, without saying anything further, move 'that the question be put', 'that the debate be adjourned', or 'that the Town Council be adjourned'. If a seconder agrees, and the chair thinks that the debate has gone on long enough, the motion will be put.

If the motion is 'that the question be put', and it is carried, the only other speeches will be rights to reply. The question will then be put as soon as the mover indicates their decision whether or not to speak. If the meeting is adjourned, when it is resumed, the mover will then have the right to reply.

DATA PROTECTION AND CONFIDENTIALITY

58. 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.
59. 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).
60. 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.
61. Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.
62. a) All written reports either to the Town Council or to a committee will be submitted under the hand of, or with the knowledge of, the Town Clerk.
b) Where, in the opinion of the Town Clerk, or any committee of the Town Council, the subject matter of a report is of such a nature that its publication should be restricted to members of the Town Council only, such a report will be endorsed 'CONFIDENTIAL'.
c) Where a member proposes to submit a written report to the Town Council or committee, four clear days' notice will be given to the Town Clerk to ensure that the document can be read before it is despatched to Members.

- d) All agendas, reports and other documents where the press and public have been excluded will remain in confidence until they become public in the ordinary course of business. Items discussed in confidence will be described in agendas so that those excluded can at least have an idea about the subject under discussion, if not the substance of the item.
63. If any question is raised at a meeting that relates to any aspect of an employee's terms of employment or conditions of service, no discussion will take place until it has been decided whether or not to exclude the press and public.

DISORDERLY CONDUCT AND GENERAL DISTURBANCE

64. The Code of Conduct adopted by the Council shall apply to councillors in respect of all meetings.
65. a) No member will misconduct themselves at a meeting by ignoring the ruling of the presiding chair, by obstructing the order of business, or by behaving badly.
b) If the presiding chair decides that a member has behaved in a way likely to cause offence or disturbance, the chair will say so and any member may then move that the named member be quiet, or be excluded from the meeting. If the motion is seconded it will be put immediately and without further discussion.
c) If either of the motions in b) is ignored, the chair may suspend the meeting or takes such steps as may be necessary to enforce them.
66. In the event of a general disturbance among members that, in the opinion of the chair, means that the completion of business is impossible, the chair may, without the question being put, adjourn the meeting for a period of time as long as the chair feels is appropriate.
67. If a member of public interrupts the proceedings of a meeting, the chair may order their removal from the room. In the case of any general trouble in any part of the room open to the public, the chair may order that part of the room to be cleared and may, without putting the question, adjourn the meeting for a period of time as long as the chair feels is appropriate.

RESCISSION OF PREVIOUS RESOLUTION

68. a) A decision, whether positive or negative, of the Town Council will not be reversed for six months except by a special resolution supported and signed by at least seven members.
b) When a special resolution has been dealt with, no similar resolution can be moved within a further six month period.
c) This standing order will not apply to resolutions moved following a committee report or recommendation.

GENERAL VOTING

69. Members will vote by a show of hands, or, if a majority of those present so request, by a ballot. This standing order will also apply to voting in committees and sub-committees.
70. If a member asks, the Town Clerk will record how members voted (or abstained) on a particular issue. This also applies to committees and sub-committees. Non-elected representatives on committees have no voting rights.
71. a) The Chair of any meeting may give an original vote, as opposed to a casting vote, on any matter put to the vote except as detailed below.
b) The Chair of any meeting may not give an original vote in the election of his/her successor when retiring from the Town Council immediately following that meeting.
c) The Chair of any meeting, whether retiring or not, may give a casting vote when the original vote is tied.
d) This standing order will also apply to voting in committees and sub-committees.

VOTING ON APPOINTMENTS

72. Where more than two people have been nominated for a casual vacancy or other appointment, all applicants will be offered the opportunity to address the Town Council following which the person with the least number of votes will be removed from the list of candidates and a further vote taken. This will continue until a winner is identified. A tie in votes may be settled by the casting vote exercisable by the Town Mayor.

RECORD OF ATTENDANCE & APOLOGIES FOR ABSENCE

73. a) Every member attending a meeting will have their attendance recorded. Any apology will also be recorded in the minutes.
b) A member's reason for absence for a period in excess of six months or longer must be approved in advance by the Town Council.

COMMITTEE REPORTS & RECOMMENDATIONS

74. The minutes of individual committee meetings will be presented to the Town Council by the committee chair or, in his/her absence, by another member of the committee, with a motion that any recommendations contained in the minutes be adopted. This motion will be seconded by any other member of the committee who will not thereby lose his/her right to speak to the motion.
75. Following the moving and seconding of a motion under the above standing order, the proposer may draw particular attention to, or give more information on, any matter raised in the minutes.
76. During consideration of the minutes, numbers of the minutes that contain recommendations will be read out by the councillor presenting them for questions, comments or debate. When all the minute numbers have been given, the councillor will move "*that the minutes of the meeting etc... be adopted*" or "*adopted as amended*" and the motion will be put without discussion.

COMMITTEES & SUB COMMITTEES

77. The Town Council will, at its annual meeting, appoint standing committees and may also at other times make appointments to standing committees as necessary, subject to the following:
- a) No appointment will be beyond the date of the next annual meeting.
 - b) The Town Council may, at any time, dissolve or alter the membership of a committee.
 - c) Make up of individual committees will reflect the political make up of the Town Council (i.e. proportional representation). If a party declines to fill a seat allocated to them under proportionality, it may be filled by a Member nominated by another party until such time as the declining party decides to fill that seat.
 - d) The filling of previously declined seats must be notified at a Full Council meeting, prior to the change in Committee make up, in order to satisfy SOs 78a and 79.
78. a) The Town Council will have the following standing committees:
- Finance and Policy – responsible for setting and managing the budget, reviewing and approving Council policy and risk assessments.
 - Community and Environment – responsible for the delivery of services, and promotion and improvement of the economic, social and environmental well-being of the area. Responsible for expenditure relating to the remit of the committee within the agreed main Council budget.
 - Planning and Licensing - responsible for commenting on planning and licensing applications.
 - Personnel - responsible for staffing matters, except the day-to-day management of staff.
 - Appeals (Staff) to take appeals from staff.
 - Emergency Action Committee - to take any emergency action as is deemed necessary to protect the interests of the Town Council, and will be excluded from the requirements contained in SO 77c.
- b) The Finance and Policy will comprise seven members including the chairs of the Community and Environment, and Planning and Licensing committees.

- c) The Community and Environment Committee will comprise seven members.
 - d) The Planning and Licensing Committee will comprise six members.
 - e) The Personnel Committee will comprise four members, including the chairs of the Finance and Policy, Community and Environment, and Planning and Licensing committees.
 - f) The Appeals (Staff) Committee will comprise five members not members of the Personnel Committee.
 - g) Except in the case of the Personnel and Appeals (Staff) committees, the Town Mayor shall not be eligible for election as chairman or vice chairman of a standing committee.
 - h) The Emergency Action Committee will comprise five members.
 - i) Every member shall serve on at least one standing committee.
79. In the event of a member not securing a place on a standing committee, the Town Council will take steps to create a vacancy by resignation or resolution. The provision contained within SO 77c will not apply in this case.
80. Where a vacancy occurs on any committee of the Town Council, the Town Council may fill the vacancy on a temporary basis.

EMERGENCY ACTION MEETING

81. The chair of a committee or the Town Mayor may call a special meeting of a committee at any time. A special meeting may also be called on receipt in writing of a request signed by no fewer than four members of the committee. The summons for the meeting will set out the business to be considered. The summons shall be sent to all members for information. No other business will be transacted at the meeting.

DELEGATION OF POWERS TO COMMITTEES AND OFFICERS

82. The Town Council may, at its discretion, delegate to any committee or officer any of its powers that it thinks appropriate.
83. Every committee may appoint sub committees or task and finish working parties for purposes to be specified by the committee.
84. Standing orders relating to notice of meeting, rules of debate (except the parts relating to standing and speaking more than once, finishing time of meetings, and members' interests) will also apply to committee and sub committee meetings where appropriate.

QUORUM OF COMMITTEES AND SUB COMMITTEES

85. No business shall be transacted unless the following number of members are present:

Town Council - 6
 Finance and Policy Committee - 4
 Community and Environment Committee - 4
 Planning and Licensing Committee - 3

All other committees and sub committees will have a quorum of 33% of membership (rounded up) or 3 whichever is the greater. A quorum must be formed within 15 minutes of the published start time of the meeting as set out in the summons.

SUBSTITUTION TO COMMITTEES

86. If a Member is unable to attend a meeting they may notify the Town Clerk of the Member they wish to act as a substitute for that meeting, or part of that meeting.

87. Such substitute may take the place with the right to speak and vote for the meeting (or part of the meeting) when such councillor is absent. In the event of the member arriving after the substitution has been made, he or she shall resume membership of the committee or sub-committee at the commencement of the next item of business and the substitute member shall forthwith cease to be a member of the committee or sub-committee.
88. Such substitution shall not be used in relation to a specific item, but only to cover the absence of a councillor from the whole or part of a meeting.

PRESENCE OF NON MEMBERS OF COMMITTEES AND SUB COMMITTEES

89. Any member of the Town Council may attend and, subject to the approval of the committee, address any meeting.
90.
 - a) A member who has proposed a motion that has been referred to a committee of which they are not a member, may explain the motion but may not vote.
 - b) Any person who is not a Town Councillor but is appointed to a committee, sub-committee or working party has no voting rights.

INTERESTS

91. If a member, a non-councillor with voting rights or officer has a disclosable pecuniary (i.e. financial) interest, or another interest as set out in the Council's Code of Conduct, in any matter being considered at a meeting, that must be declared and the individual concerned must take no part in any debate or decision-making unless:
 - a) The disability imposed by this standing order has been removed by the District Council or
 - b) The Town Council invites the person concerned to take part for information purposes or
 - c) The matter upon which the interest has been declared is not the actual matter under debate.

A member, having disclosed a pecuniary interest, may be asked to answer questions of fact from the chair of the meeting, relating to the matter under debate, which may assist with consideration of the matter. However, prior to the commencement of debate and discussion of the matter the member must leave the room.

92. In accordance with the Parish Councils (Model Code of Conduct) Order 2012 (see appendix) a Register of Members' Declared Interests will be kept and maintained by the Town Clerk. The register will be available to the general public.
93. If a candidate for any appointment relating to the Town Council is, to the best of their knowledge, related to any member or officer of the Town Council, they must declare that relationship in writing to the Town Clerk. Failure to do this will result in a candidate's disqualification or, if already appointed, their dismissal without notice. The Town Clerk will report to the Town Council or the appropriate committee any such disclosure.
94. An officer of the Town Council will not, under the cover of their office, accept any fee or reward whatsoever other than their correct salary or wage.
95. All officers of the Town Council will declare any interests in an identical way to members under SO 91 above.

CANVASSING OF, AND RECOMMENDATIONS BY, MEMBERS

96.
 - a) Canvassing of members, directly or indirectly, for any appointment under the Town Council's control, will disqualify the candidate. Candidates for appointment will automatically be made aware of this provision.
 - b) A Town Councillor will not solicit on behalf of any third party with regard to any appointment or promotion under the control of the Town Council. Nevertheless, a member may give a written reference for submission to the Town Council with an application for appointment.

c) When awarding a contract for any works and all things being equal, preference will be given to the use of local businesses whenever appropriate.

APPOINTMENT OF STAFF AND FILLING OF VACANCIES

97. The Town Council shall appoint such officers as thought necessary for the proper discharge of their functions.
98. All vacancies for positions within the Town Council, unless they are to be filled by transfer or promotion, will be publicly advertised in one or more publications circulating amongst those persons likely to possess the necessary qualifications for the post, unless the Town Council decides otherwise, in which case the reason must be minuted.

INSPECTION OF DOCUMENTS

99. A Town Councillor may inspect, and have copies made of, any document in the possession of the Town Council relevant to their office as Town Councillor.
100. All minutes kept by the Town Council will be available for inspection by any Town Councillor or member of the press or general public, subject to the provisions contained in SOs 50, 60 and 62d. The Council shall also publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.
101. The accounts of the Town Council, or any office directly associated with it, shall be open to inspection and copying by any member of the public.
102. All requests for information held by the Town Council shall be processed in accordance with the Town Council's policy in respect of handing requests under the Freedom of Information Act 2000.

Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Chairman of the Finance 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.

103. Although under section 13 of the Local Government & Housing Act 1989 an elector for the area is not entitled to demand information relating to members of staff, they are entitled, under section 17 of the Local Government Finance Act 1982, to question, and make objections to, the auditor.

UNAUTHORISED ACTIVITIES

104. No member of the Town Council or any committee or sub committee shall, in the name of, or on behalf of, the Town Council
 - a) inspect any lands or premises which the Town Council has no right or duty over, or
 - b) issue orders, instructions or directions

Unless authorised so to do in advance by the Town Council.

ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

105.
 - a) The public and press shall be admitted to all meetings of the Town Council and its committees and sub-committees which may temporarily exclude the press and/or public by means of a resolution making reference to Part 1 of Schedule 12A of the Local Government Act 1972 and/or Section 1 of the Public Bodies (Admission to Meetings) Act 1960.
 - b) All such matters as are discussed under SO 105a will remain in confidence until such time as the Town Council decides otherwise, when a summary minute will appear in the appropriate minute book.
106. The Town Clerk will provide the press with appropriate facilities for reporting the proceedings of any meeting they are entitled to attend.

LIAISON WITH COUNTY AND DISTRICT COUNCILLORS

107. Notice of all meetings of the Town Council will be sent to all County and District Councillors representing the parish of Yateley and displayed in public places and in public buildings around the town.

SEALING OF DOCUMENTS

108. a) A document will only be sealed on behalf of the Town Council once the Town Council has given its approval.
b) The document, so approved, shall be signed by two members in the presence of the Town Clerk.

FINANCIAL MATTERS & PROCUREMENT

109. The Town Council shall consider and approve financial regulations drawn up by the Town Clerk, which shall include detailed arrangements in respect of the following:
- i. appointing the appropriate staff member(s) to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent. The Responsible Financial Officer is the Town Clerk;
 - ii. the accounting records and systems of internal control, in line with the proper practices referred to in the latest version of 'Governance and Accountability for Local Councils – a Practitioners' Guide';
 - iii. the assessment and management of financial risk faced by the Town Council
 - iv. the work of the Internal Auditor and the receipt of regular reports from the Internal Auditor, which shall be required at least annually;
 - v. the year-end accounting statements shall be prepared in accordance with proper practices for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all members at least 14 days prior to the anticipated approval by the Town Council for formal approval before 30 June;
 - vi. the inspection and copying by councillors and local electors of the Town Council's accounts and/or orders of payment;
 - vii. procurement policies (subject to SO 111-115 below) including the setting of values for different procedures where the contract has an estimated value of less than £25,000.
110. Any 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 as summarised in SO 111.
111. 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 SO 114 is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Town Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity.
112. Subject to additional requirements in the financial regulations of the Town Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
- i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. an invitation to tender shall be drawn up to confirm (i) the Town Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Town Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
 - iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
 - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
 - v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the

- deadline for submission of tenders has passed;
- vi. tenders are to be reported to and considered by the appropriate meeting of the Town Council or a committee or sub-committee with delegated responsibility.
113. Neither the Town Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
114. 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.
115. 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.

PRECEPT, ACCOUNTS & FINANCIAL STATEMENTS

116. The Town Council will finalise its precept for the coming financial year at the meeting of the Town Council held immediately prior to the date set by the collection authority.
117. All accounts for payment and claims upon the Town Council, will be authorised by two of the councillor cheque signatories at the regular meetings of Full Council, Finance and Policy, Community and Environment or Planning and Licensing. All such accounts to be in line with the approved committees' budgets and signed off by the appropriate officer.
118. The Town Clerk will provide a bi-monthly Financial Statement of Accounts showing payments and receipts and comparing year to date with budgeted totals.

GRANTS AND FINANCIAL ASSISTANCE

119. In accordance with section 137 of the 1972 Local Government Act, where the Town Council provides financial assistance to a voluntary body, or contributes to an appeal fund and the amount exceeds £2,000, there will be a requirement for the recipients to provide, within 12 months, a written statement as to the purpose to which the funds were put.
120. The Town Council may provide information and voluntary assistance to organisations to enable them to provide advice in relation to public rights and assist in asserting those rights. This means that the CAB or a legal advice centre may be funded directly from the Town Council's resources without establishing whether an expenditure limit has been infringed, and therefore need no longer be funded under the provisions of section 137 of the 1972 act.
121. Where the Town Council is eligible for adopting and has asserted by Town Council resolution to adopt the General Power of Competence, the awarding of grants under section 137 of the 1972 Local Government Act will no longer be required for the provision of grant aid.

PROPER OFFICER

122. Where a statute, regulation or order confers functions or duties on the proper officer of the Town Council in the following cases, that will be the Town Clerk.
- a) Receive declarations of acceptance of office
 - b) Receive and record notices disclosing pecuniary interests

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- c) At least three clear days before a meeting of the Town Council, a committee or sub-committee:
 - i) Serve on members by post at their residences or by email authenticated in such a manner by the Proper Officer thinks fit, a signed summons confirming the time, place and agenda (provided the member has consented to receive such by email), and
 - ii) Provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Town Council convened by councillors is signed by them)
- d) Receive and retain plans and documents
- e) Sign notices and other documents on behalf of the Town Council
- f) Receive copies of byelaws made by other authorities
- g) Certify copies of byelaws made by the Town Council
- h) Sign summonses to attend Town Council meetings
- i) Facilitate inspection of the minute book by local government electors
- j) Convene a meeting of the Town Council for the election of a new Town Mayor, as a result of a casual vacancy in his or her office arising.

In any other case, the Proper Officer will be the person nominated by the Town Council who, in default of nomination, will be the Town Clerk.

VARIATIONS, REVOCATION AND SUSPENSION OF STANDING ORDERS

- 123. Any part of standing orders, except those covered by statute, may be suspended by resolution in relation to any specific item of business.

INTERPRETATION OF STANDING ORDERS

- 124. All Town Councillors will receive a copy of standing orders once they have completed their declarations of acceptance of office.
- 125. The ruling of the presiding chair of a meeting as to the construction or application of any of these standing orders, or as to the proceedings of the Town Council, will not be challenged.

RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

(Below is not an exclusive list).

- 126. The Town Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his or her personal data.
- 127. The Town Council shall have a written policy in place for responding to and managing a personal data breach.
- 128. The Town 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.
- 129. The Town Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.
- 130. The Town Council shall maintain a written record of its processing activities.

CODE OF CONDUCT AND DISPENSATIONS

- 131. All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Town Council.
- 132. Unless he or she has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he or she has a disclosable

pecuniary interest. He or she may return to the meeting after it has considered the matter in which he or she had the interest.

133. Unless he or she has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he or she has another interest if so required by the Town Council's code of conduct. He or she may return to the meeting after it has considered the matter in which he or she had the interest.
134. Dispensation requests shall be in writing and submitted to the Proper Officer as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
135. A decision as to whether to grant a dispensation shall be made by the Proper Officer and that decision is final.
136. 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.
137. Subject to standing orders 134 and 136, a dispensation request shall be considered by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required.
138. A dispensation may be granted in accordance with standing order 135 if having regard to all relevant circumstances any of the following apply:
 - i. without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business;
 - ii. granting the dispensation is in the interests of persons living in the Town Council's area; or
 - iii. it is otherwise appropriate to grant a dispensation.

CODE OF CONDUCT COMPLAINTS

139. Upon notification by the District Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Town Council's code of conduct, the Proper Officer shall, subject to standing orders 58-63, report this to the Town Council.
140. Where the notification in standing order 139 relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Town Mayor of this fact, and the Town Mayor shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Town Council has agreed what action, if any, to take in accordance with standing order 142.
141. The Town Council may:
 - i. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
 - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter.
142. Upon notification by the District Council that a councillor or non-councillor with voting rights has breached the Town Council's code of conduct, the Town Council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.