

SHEPTON MALLET TOWN COUNCIL

STANDING ORDERS

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AMENDMENTS:

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1.0 INTRODUCTION TO STANDING ORDERS

- 1.1 Standing Orders are the written rules of Shepton Mallet Town Council. They are used to confirm the Council's internal organisational, administrative and procurement procedures and procedural matters for meetings.
- 1.2 Meeting of the Council, Councillors, the Town Clerk or Proper Officer and the Responsible Financial Officer are subject to many statutory requirements.
- 1.3 Standing Orders ensure that certain statutory requirement are upheld.
- 1.4 A council should have Standing Orders to confirm those statutory requirements.
- 1.5 A council should have Standing Orders to control the number of meetings, the places of meetings, the quorum at those meeting and notices and other procedures for committee and subcommittee meetings.
- 1.6 A council must have Standing Orders for the procurement of contracts.
- 1.7 Shepton Mallet Town Council has made some modifications to the template as provided by the National Association of Local Councils. This version ensure that it adheres to statutory requirements and that it operated effectively.
- 1.8 All or part of Standing Orders, **except one that incorporate mandatory statutory requirements (in bold)**, may be suspended by resolution in relation to the consideration of an item on the agenda of a meeting.
- 1.9 The Town Clerk shall provide a copy of the Council's Standing Orders to a Councillor as soon as possible after he/she has completed the Declaration of Acceptance of Office.
- 1.10 The decision of the Chairperson of a meeting as to the application of Standing Orders at a meeting shall be final.

2.0 DEFINITIONS

Clear Days

2.1 The minimum three clear days for notice of a meeting does not include the day on which the notice will be 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.

Location of Meetings

2.2 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 is available free of charge or at a reasonable cost.

Quorum

2.3 No business may be transacted at a council meeting unless at least one third of the whole number of Councillors of the council are present and in the case of committee and sub-committee, at least one third of the committee of subcommittee councillorship.

2.4 If a meeting is or become inquorate, no business shall be transacted and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.

Proper Officer

2.5 The Proper office is also known as the Town Clerk.

3.0 APOLOGIES

3.1 Apologies for absence must be received directly by the Town Clerk and the reasons for absence at a meeting, must be given in advance of the meeting.

4.0 PUBLIC ATTENDANCE

4.1 Meetings shall be open to the public unless the business is prejudicial to the public interest by reasons 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 and press' exclusion.

4.2 Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is permitted unless the public are excluded by reason of the confidential nature of the business or where publicity would be prejudicial to the public interest. Exclusion of the public must be authorised by a resolution of the meeting and the reason for exclusion must be stated. The public are requested to notify the clerk if they intend to film a meeting in order that necessary arrangements can be made.

4.3 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.

5.0 PUBLIC QUESTION TIME

5.1 Members of the public may within the Public Forum make representations, ask questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.

5.2 A member of the public may speak once, for no more than three minutes, on an item of business if he/she has given 24 hours' notice to the Town Clerk of that intention prior to the meeting taking place or if the Chairperson has used their discretion to allow members of the public to speak without prior notification.

5.3 A question shall not require a response at the meeting nor start a debate on the question. The chairperson of the meeting may direct that a written or oral response be given.

6.0 HIERARCHY OF MEETINGS

6.1 Shepton Mallet Town Council has adopted to use a committee structure in order to conduct its business. Full Council determines the scope and responsibilities of other committees and Standing Orders sets out the roles and responsibilities. There is a system of committee and sub committees, and on occasions, working parties are set up with a specific remit.

7.0 MEETINGS GENERALLY

7.1 A meeting shall not exceed a period of two (2) hours.

7.2 Meetings of the Council shall be held at 7.00 pm in the Council Chamber of Mendip District Council, Canards Grave Road, Shepton Mallet as set out in the annual agreed schedule of meetings unless the council directs otherwise at a prior meeting.

7.3 A person shall raise their hand when requesting to speak.

7.4 A person who speaks at a meeting shall direct their comments to the Chairperson of the meeting.

7.5 Only one person is permitted to speak at a time. If more than one person wants to speak, the chairperson of the meeting shall direct the order of speaking.

7.6 Subject to Standing Orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairperson of the Council may in their absence be done by, to or before the Vice-Chairperson of the Council (if any).

7.7 The Chairperson, if present, shall preside at a meeting. If the Chairperson is absent from a meeting, the Vice-Chairperson, if present, shall preside. If both the Chairperson and the Vice-Chairperson are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.

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

7.9 The Chairperson of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise their casting vote whether or not he/she gave an original vote.

7.10 Voting on a question shall be by a show of hands. At the request of an individual councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave their vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.

7.11 A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on their right to participate and vote on that matter.

8.0 COUNCIL MEETINGS

8.1 In an election year, the annual meeting of the council shall be held on or within 14 days following the day on which the new councillors elected take office.

8.2 In a year which is not an election year, the annual meeting of a council shall be held on such day in May as the council may direct.

8.3 If no other time is fixed, the annual meeting of the council shall take place at 7pm.

8.4 In addition to the annual meeting of the council, at least three other ordinary meetings shall be held in each year on such dates and times as the council directs.

8.5 The first business conducted at the annual meeting of the council shall be the election of the Chairperson and Vice-Chairperson (if any) of the Council.

8.6 The Chairperson of the Council, unless he/she has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until their successor is elected at the next annual meeting of the council.

8.7 The Vice-Chairperson of the Council, if any, unless he/she resigns or becomes disqualified, shall hold office until immediately after the election of the Chairperson of the Council at the next annual meeting of the council.

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

8.9 In an election year, if the current Chairperson of the Council has been re-elected as a member of the council, he/she shall preside at the meeting until a new Chairperson of the Council has been elected. He/she may exercise an original vote in respect of the election of the new Chairperson of the Council and must give a casting vote in the case of an equality of votes.

8.10 Following the election of the Chairperson of the Council and Vice-Chairperson (if any) of the Council at the annual meeting of the council, the business of the annual meeting shall include:

- a. In an election year, delivery by the Chairperson of the Council and councillors of their acceptance of office forms unless the council resolves for this to be done at a later date.**
- b. In a year which is not an election year, delivery by the Chairperson of the Council of their acceptance of office form unless the council resolves for this to be done at a later date**
- c. Confirmation of the accuracy of the minutes of the last meeting of the council**
- d. Receipt of the minutes of the last meeting of any committee**

- e. Consideration of the recommendations made by a committee
- f. Review of delegation arrangements to committees, sub-committees, staff and other local authorities
- g. Review of the terms of reference for committees
- h. Appointment of members to existing committees
- i. Review and adoption of appropriate standing orders and financial regulations;
- j. Review of arrangements, including any charters and agency agreements, with other local authorities and review of contributions made to expenditure incurred by other local authorities;
- k. Review of representation on or work with external bodies and arrangements for reporting back;
- l. In an election year, to make arrangements with a view to the council becoming eligible to exercise the general power of competence in the future or to reaffirm eligibility;
- m. Review of inventory of land and assets including buildings and office equipment;
- n. Confirmation of arrangements for insurance cover in respect of all insured risks;
- o. Review of the council's corporate governance policies
- p. Review of the council's policy for dealing with the press/media; and
- q. Determining the time and place of ordinary meetings of the full council up to and including the next annual meeting of full council.

9.0 COMMITTEES AND SUB-COMMITTEE MEETINGS

9.1 Unless the council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.

9.2 The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the council.

9.3 Unless the council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.

9.4 The council may appoint standing committees or other committees as may be necessary, and:

- a. shall determine their terms of reference;
- b. shall permit a committee to determine the number and time of its meetings;

- c. shall, subject to standing orders above, appoint and determine the terms of office of members of such a committee;
- d. may, subject to standing orders above, appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer three (3) days before the meeting that they are unable to attend;
- e. shall permit a committee to appoint its own chairperson at the first meeting of the committee;
- f. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which shall be no less than three or one third;
- g. shall determine if the public may participate at a meeting of a committee;
- h. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
- i. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
- j. may dissolve a committee.

10.0 EXTRAORDINARY MEETINGS OF THE COUNCIL AND COMMITTEES

10.1 The Chairperson of the Council may convene an extraordinary meeting of the council at any time.

10.2 If the Chairperson of the Council does not or refuses to call an extraordinary meeting of the council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the council. The public notice giving the time, place and agenda for such a meeting must be signed by the two councillors.

10.3 The chairperson of a committee or a sub-committee may convene an extraordinary meeting of the committee or the sub-committee at any time.

10.4 If the chairperson of a committee or a sub-committee does not or refuses to call an extraordinary meeting within seven days of having been requested by to do so by two members of the committee or the sub-committee, any two members of the committee and the sub-committee may convene an extraordinary meeting of a committee and a sub-committee.

11.0 PREVIOUS RESOLUTIONS

11.1 A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least three councillors to be given to the Town Clerk in accordance with Standing Orders , or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.

11.2 When a motion moved pursuant to standing orders above has been disposed of, no similar motion may be moved within a further six months.

12.0 RULES OF DEBATE AT MEETINGS

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

12.2 A motion (including an amendment) shall not be progressed unless it has been proposed and seconded.

12.3 A motion on the agenda that is not moved by its proposer may be treated by the chairperson of the meeting as withdrawn.

12.4 If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.

12.5 An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.

12.6 If an amendment to the original motion is carried, the original motion (as amended) becomes the substantive motion upon which further amendment(s) may be moved.

12.7 An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chairperson of the meeting, is expressed in writing to the chairperson.

12.8 A councillor may move an amendment to their own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.

12.9 If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chairperson.

12.10 Subject to standing orders below, only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairperson of the meeting.

12.11 One or more amendments may be discussed together if the chairperson of the meeting considers this expedient, but each amendment shall be voted upon separately.

12.12 A councillor may not move more than one amendment to an original or

substantive motion.

12.13 The mover of an amendment has a right of reply at the end of debate on it, not exceeding 3 minutes.

12.14 Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate of the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.

12.15 Unless permitted by the chairperson of the meeting, a councillor may speak once in the debate on a motion except:

- a. to speak on an amendment moved by another councillor;
- b. to move or speak on another amendment if the motion has been amended since he/she last spoke;
- c. to make a point of order;
- d. to give a personal explanation; or
- e. in exercise of a right of reply.

12.16 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 other irregularity in the proceedings of the meeting he/she is concerned by.

12.17 A point of order shall be decided by the chairperson of the meeting and their decision shall be final.

12.18 When a motion is under debate, no other motion shall be moved except:

- a. to amend the motion;
- b. to proceed to the next business;
- c. to adjourn the debate;
- d. to put the motion to a vote;
- e. to ask a person to be no longer heard or to leave the meeting;
- f. to refer a motion to a committee or sub-committee for consideration;
- g. to exclude the public and press;
- h. to adjourn the meeting; or
- i. to suspend particular standing order(s) excepting those which reflect mandatory statutory requirements.

12.19 Before an original or substantive motion is put to the vote, the chairperson of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived their right of reply.

12.20 Excluding motions moved understanding order 1(r) above, the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed three (3) minutes without the consent of the chairperson of the meeting.

13.0 MOTIONS FOR A MEETING THAT REQUIRE WRITTEN NOTICE TO BE GIVEN TO THE PROPER OFFICER

13.1 A motion shall relate to the responsibilities of the meeting which it is tabled for and in any event shall relate to the performance of the council's statutory functions, powers and obligations or an issue which specifically affects the council's area or its residents.

13.2 No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least ten clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.

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

13.4 If the Proper Officer considers the wording of a motion received in accordance with standing order above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer so that it can be understood at least four clear days before the meeting.

13.5 If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the chairperson of the forthcoming meeting or, as the case may be, the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.

13.6 Subject to standing order above, the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.

13.7 Motions received shall be recorded in a book for that purpose and numbered in the order that they are received.

13.8 Motions rejected shall be recorded in a book for that purpose with an

explanation by the Proper Officer for their rejection.

14.0 MOTIONS AT A MEETING THAT DO NOT REQUIRE WRITTEN NOTICE

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

- a. to correct an inaccuracy in the draft minutes of a meeting;
- b. to move to a vote;
- c. to defer consideration of a motion;
- d. to refer a motion to a particular committee or sub-committee;
- e. to appoint a person to preside at a meeting;
- f. to change the order of business on the agenda;
- g. to proceed to the next business on the agenda;
- h. to require a written report;
- i. to authorise the payment of monies up to £500
- j. to appoint a committee or sub-committee and their members;
- k. to appoint representatives to outside bodies and to make arrangements for those representatives to report back to the council on activities of that body;
- l. to extend the time limits for speaking;
- m. to exclude the press and public from a meeting in respect of confidential or sensitive information which is prejudicial to the public interest;
- n. to not hear further from a councillor or a member of the public;
- o. to exclude a councillor or member of the public for disorderly conduct;
- p. to temporarily suspend the meeting;
- q. to suspend a particular standing order (unless it reflects mandatory statutory requirements);
- r. to adjourn the meeting; or
- s. to close a meeting.

15.0 VOTING ON APPOINTMENTS

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

16.0 DISORDERLY CONDUCT AT MEETINGS

16.1 No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairperson of the meeting shall request such person(s) to moderate or improve their conduct.

16.2 If person(s) disregard the request of the chairperson of the meeting to moderate or improve their conduct, any councillor or the chairperson of the meeting may move that the person be no longer heard or excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.

16.3 If a resolution made under standing order 2(b) above is ignored, the chairperson of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

16.4 A councillor's 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.

17.0 CODE OF CONDUCT AND DISPENSATIONS

17.1 All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the council.

17.2 Unless he/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/she has a disclosable pecuniary interest. He/she may return to the meeting after it has considered the matter in which he/she had the interest.

17.3 Unless he/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/she has another interest if so required by the council's code of conduct. He/she may return to the meeting after it has considered the matter in which he/she had the interest.

17.4 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.

17.5 A decision as to whether to grant a dispensation shall be made by the Proper Officer and that decision is final.

17.6 A dispensation request shall confirm:

- a the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
- b whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
- c the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
- d an explanation as to why the dispensation is sought.

17.7 Subject to standing orders and above, dispensations requests 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.

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

- a without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business or
- b granting the dispensation is in the interests of persons living in the council's area or
- c it is otherwise appropriate to grant a dispensation.

18.0 CODE OF CONDUCT COMPLAINTS

18.1 Upon notification by the District Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the council's code of conduct, the Proper Officer shall, subject to standing order above, report this to the council.

18.2 Where the notification in standing order above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairperson of Council of this fact, and the Chairperson shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the council has agreed what action, if any, to take in accordance with standing order 14(d) below.

18.3 The council may:

- a. provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
- b. seek information relevant to the complaint from the person

or body with statutory responsibility for investigation of the matter;

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

19.0 HANDLING CONFIDENTIAL OR SENSITIVE INFORMATION

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

19.2 Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.

19.3 A councillor in breach of the provisions of standing order xx above may be removed.

20.0 REQUESTS FOR INFORMATION

20.1 Requests for information held by the council shall be handled in accordance with the council's policy in respect of handling requests under the Freedom of Information Act 2000 and the Data Protection Act 1998 and General Data Protection Regulations 2016.

20.2 Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the chairperson of the council. The said chairperson shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000.

21.0 RESTRICTIONS ON COUNCILLOR ACTIVITIES

21.1 Unless authorised by a resolution, no councillor shall:

- a. inspect any land and/or premises which the council has a right or duty to inspect; or,
- b. issue orders, instructions or directions.

22.0 RELATIONS WITH THE PRESS/MEDIA

22.1 Requests from the press or other media for an oral or written comment or statement from the Council, its councillors or staff shall be handled in accordance with the Council's policy in respect of dealing with the press and/or other media.

23.0 COMMUNICATING WITH DISTRICT AND COUNTY COUNCILLORS

23.1 An invitation to attend a meeting of the council shall be sent, together with the agenda, to the ward councillor(s) of the District and County Council representing the area of the council.

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

24.0 MINUTES OF MEETINGS

24.1 The minutes of a meeting shall include an accurate record of the following:

- a. **the time and place of the meeting**
- b. **the names of councillors present**
- c. **reasons for absence, if given, and a record of any approval by resolution**
- d. **interests that have been declared by councillors and non-councillors with voting rights;**
- e. **whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;**
- f. **if there was a public participation session and a brief summary of its content; and**
- g. **the resolutions made.**

24.2 If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting, at which they are due to be approved for accuracy, they shall be taken as read.

24.3 There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order xx above

24.4 The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chairperson of the meeting and stand as an accurate record of the meeting to which the minutes relate.

24.5 Upon a resolution which confirms the accuracy of the minutes of a meeting,

the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

25.0 PROPER OFFICER

25.1 The Proper Officer shall be either (i) the Town Clerk or (ii) other staff member(s) nominated by the council to undertake the work of the Proper Officer when the Proper Officer is absent.

25.2 The Proper Officer shall:

- a. at least three clear days before a meeting of the council, a committee and a sub-committee, serve on councillors a summons by email confirming the time, place and the agenda provided any such email contains the electronic signature and title of the Proper Officer and that the council has first resolved to permit electronic summonses.
- b. **give public notice of the time, place and agenda at least three clear days before a meeting of the council or a meeting of a committee or a sub-committee (provided that the public notice with agenda of an extraordinary meeting of the council convened by councillors is signed by them);**
- c. subject to standing order above, include on the agenda all motions in the order received unless a councillor has given written notice at least (6) days before the meeting confirming their withdrawal of it;
- d. **convene a meeting of full council for the election of a new Chairperson of the Council, occasioned by a casual vacancy in their office;**
- e. facilitate inspection of the minute book by local government electors;
- f. **receive and retain copies of byelaws made by other local authorities;**
- g. retain acceptance of office forms from councillors;
- h. retain a copy of every councillor's register of interests;
- i. assist with responding to requests made under the Freedom of

Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the council's policies and procedures relating to the same;

- j. receive and send general correspondence and notices on behalf of the council except where there is a resolution to the contrary;
- k. manage the organisation, storage of, access to and destruction of information held by the council in paper and electronic form;
- l. arrange for legal deeds to be executed;
- m. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the council in accordance with the council's financial regulations;
- n. record every planning application notified to the Council on the appropriate meeting agenda and the Council's response to the local planning authority in the minutes of the meeting when the decision was so made;
- o. refer a planning application received by the council to the Chairperson or in their absence the Vice-Chairperson (if any) of the Planning Committee within three (3) working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of Planning committee;
- p. manage access to information about the council via the publication scheme; and
- q. action or undertake activity or responsibilities instructed by resolution or contained in standing orders.

26.0 RESPONSIBLE FINANCIAL OFFICER

26.1 The council shall appoint appropriate staff member(s) to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

27.0 ACCOUNTS AND ACCOUNTING STATEMENTS

27.1 "Proper practices" in standing orders refer to the most recent version of Governance and Accountability for Local Councils - a Practitioners' Guide (England).

27.2 All payments by the council shall be authorised, approved and paid in accordance with the law, proper practices and the council's financial regulations.

27.3 Any committee intending to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year no later than 31 December

27.4 The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:

- a. the council's receipts and payments for each quarter;
- b. the council's aggregate receipts and payments for the year to date;
- c. the balances held at the end of the quarter being reported
- d. and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.

27.5 As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:

- a. each councillor with a statement summarising the council's receipts and payments for the last quarter and the year to date for information; and
- b. to the full council the accounting statements for the year in the form of Section 1 of the annual return, as required by proper practices, for consideration and approval.

27.6 The year end accounting statements shall be prepared in accordance with proper practices and applying the form of accounts determined by the council (receipts and payments) for a year to 31 March. A completed draft annual return shall be presented to each councillor before the end of the following month of May. The annual return of the council, which is subject to external audit, including the annual governance statement, shall be presented to council for consideration and formal approval before 30 June.

28.0 FINANCIAL CONTROLS AND PROCUREMENT

28.1 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:

- a. the keeping of accounting records and systems of internal controls;
- b. the assessment and management of financial risks faced by the

- council;
- c. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
- d. the inspection and copying by councillors and local electors of the council's accounts and/or orders of payments; and
- e. Procurement policies including the setting of values for different procedures where a contract has an estimated value of up to £25,000.

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

28.3 Financial Regulations shall confirm that a proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £25,000 shall be procured on the basis of a formal tender as summarised in standing order below.

28.4 Subject to additional requirements in the financial regulations of the 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:

- a. a specification for the goods, materials, services or the execution of works shall be drawn up;
- b. an invitation to tender shall be drawn up to confirm (i) the council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the 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;
- c. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
- d. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
- e. 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;
- f. tenders are to be reported to and considered by the appropriate meeting of the council or a committee or sub-committee with delegated responsibility.

28.5 Neither the council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.

28.6 Where the value of a contract is likely to exceed £138,893 (or other threshold specified by the Office of Government Commerce from time to time) the council must consider whether the Public Contracts Regulations 2006 (SI No. 5, as amended) and the Utilities Contracts Regulations 2006 (SI No. 6, as amended) apply to the contract and, if either of those Regulations apply, the council must comply with EU procurement rules.

29.0 **EXECUTION AND SEALING OF LEGAL DEEDS**

29.1 A legal deed shall not be executed on behalf of the council unless authorised by a resolution.

29.2 Subject to standing order 22(a) above, any two councillors may sign, on behalf of the council, any deed required by law and the Proper Officer shall witness their signatures.

APPENDIX A TO STANDING ORDERS

Terms of Reference for Full Council and Committees

The Town Council has appointed a committee system as follows:

- Policy and Resources Committee
- Open Spaces Committee
- Town Development and Planning Committee
- Collett Park Management Committee
- Human Resources Committee
- Grievance and Disciplinary Panel
- Appeals Panel
- Market Cross Charity
- Cenotaph Charity

The Town Council may determine the numbers of any or all of its committee without the need to amend Standing Orders

Where any decision of a committee, subcommittee or working party falls outside their delegated powers or terms of reference then the decision shall be a recommended item which will be referred to the relevant meeting

Each councillor of the town council has the opportunity to be appointed to at least one committee

TERMS OF REFERENCE FOR TOWN COUNCIL

The following matters are reserved to the town council for decision, notwithstanding that the appropriate committee may make recommendation thereon to the council's consideration

- Agreeing a budget
- Setting the Precept
- Borrowing Money
- Approval of the Council's Annual Accounts
- Approval of the Annual Governance and Accountability Return
- Incurring capital or revenue expenditure which is over and above the council's approved budget
- Making, amending or revoking Standing Orders, Financial Regulations and the Scheme of Delegation
- Making, amending or revoking bye-laws
- Making of orders under any statutory power
- Fixing the number of committees and the names and number of councillors appointed to each committee
- Determining the functions and constitution of committees and sub committees
- Nomination and appointment or representatives of the council to any other authority, organisation or body
- Important matters of principle or policy which has been referred directly by a committee of Town Clerk
- Any proposed new undertakings
- Prosecution or defence in a court of law
- Fixing the dates of routine meetings of the council and its committees
- To nominate members onto the Appeals Panel
- All other matters which must by law be reserved to the full council

POLICY and RESOURCES COMMITTEE

Membership

The committee shall consist of nine Members plus the Chairperson and Vice Chairperson (ex officio)

Membership shall be increased to include Chairperson of Committees as and when necessary for items such as setting the Budget

Delegated Responsibility

The Policy and Resources Committee shall be delegated to make decisions on behalf of the Council in the following matters:

- Corporate Governance, and be responsible for a system by which this council directs, monitors and controls its functions in the fundamental principles of openness, inclusivity, integrity and accountability.
- Risk Management and internal control
- Develop the council's Strategic Corporate Plan and related strategies and to monitor the council's performance against these
- Administration of the lease / maintenance of the Council offices and other properties owned by the Town Council
- All financial matters of the financial administration of the council to comply with current statutory requirements
- Arrangements for the preparation of the accounts
- Appointment of the independent internal auditor
- Maintenance of adequate systems of internal control and internal audit throughout the year
- Control and monitoring of income and expenditure within the budget estimates approved by the Council and committees
- To develop and maintain the community donations scheme, within the agreed criteria and budget of the Town Council
- To determine the need for and if necessary, recommend to council the taking out of loans
- To ensure adequate insurance of all the councils property and liabilities
- To advice the council on its corporate policies and be responsible for the introduction of new or revised policies, including Standing Orders and Financial Regulations
- To Receive and grant DPI dispensations; details of all dispensations received to be reported back to the Council, at the next available meeting
- To set up such sub committees and working groups as necessary
- Any other matters referred to the Policy & Resources Committee by the Town Council which is not within the terms of their reference

Referred Business

- Recommendation of the Committee's budget each financial year
- Any funding required outside of, or above, the set budget in any given financial year
- Any other matter which may be delegated to it by the Council from time to time

OPEN SPACES COMMITTEE

Membership

The Committee shall consist of six Members plus the Chairperson and Vice Chairperson (ex-officio)

Delegated Responsibility

The Open Spaces Committee has delegated authority to deal with the following matters to conclusion:

- Provision, administration, maintenance and use of allotments and the setting of the fees for the allotments
- Setting of fees and conditions of use, and provision of equipment for areas under its control
- Liaison with community organisations which have an interest in recreational facilities in the town
- To work with others to promote the facilities that encourage visitors to the town based on culture, leisure, heritage and tourism
- Equipment within the area of its responsibilities and not under the control of any other committee
- To consider new or replacement street furniture
- The provision and installation of Festive Lights
- To provide the infrastructure for the provision of youth activities such as the Skate Park, BMX Track, children's play equipment and other Youth Club Projects
- To review the effectiveness of CCTV and represent the council at the respective forum meetings
- To consider matters relating to town centre events organised either by the Town Council or other organisations
- To work with other community groups and public bodies, through operational and strategic development of the town centre, encompassing regeneration of retail and leisure facilities
- To promote and administer National Flag Days
- To support where possible local town initiatives that seek to promote the town to a wider audience
- To set up such sub committees and working groups as necessary

Referred Business

- To consider and make recommendations to the Town Council and / or Policy & Resources Committee on the following matters
- Budget estimates to be prepared no later than November each year;
- Provision of additional recreational facilities deemed necessary or desirable;
- Provision and maintenance of new land for allotments;
- Provision of new children's play equipment and recreational sites;
- Improvement to the delivery of services following service review
- Any other matters referred to the Open Spaces Committee by the Town Council

TOWN DEVELOPMENT & PLANNING COMMITTEE

Membership

The Committee shall consist of 8 Members plus Chairperson and Vice Chairperson (ex-officio) with an equal split between East and West Wards

Delegated Responsibility

The Committee has delegated authority to deal with the following matters to conclusion:

- At three weekly meetings to consider all planning applications sent for consultation from Mendip District Council;
- To comment on behalf of the Town Council on planning applications;
- To deal with requests for street naming;
- To deal with consultation on request for street trading licenses and to deal with matters pertaining to Licensing Acts;
- To make observations as necessary, to the responsible authority or organization on matters affecting the environment and public transport in the town;
- To consider and resolve issues affecting roads, highways, development, environment or relating to planning matters upon which the Town Council is consulted or in which to the Town Council has an interest
- To receive feedback periodically from the Neighbourhood Plan Steering Group
- To receive feedback periodically on matter related to regeneration of the Town Centre
- To set up such sub committees and working groups as necessary

Referred Business

To consider and make recommendations to the Town Council and/or Policy and Resources Committee on the following matters:

- To comment on all planning applications of a major strategic nature;
- To comment on Local and Structure Plans, Waste and Mineral Plans;
- To comment on all major developments proposals affecting the environment of the town centre and the town as a whole;
- To comment on Developments, which, in the opinion of the Committee would be of benefit to the town;
- To comment where appropriate on Footpaths, bridle ways and rights of way
- Budget estimates to be prepared no later than November each year;

COLLETT PARK MANAGEMENT CHARITY COMMITTEE

Membership

The Committee shall consist of seven Members plus Chairperson and Vice Chairperson (ex-officio)

Delegated Responsibility

The Committee has delegated authority to deal with the following matters to conclusion: -

- Administration, maintenance and use of the Collett Park in its entirety
- Setting of fees and conditions of use for areas under its control
- Liaison with community organisations which have an interest in recreational facilities in the town and to encourage community groups to utilise the park, to enter into partnership arrangements for the promotion of such facilities
- Equipment within the area of its responsibilities and not under the control of any other committee
- To consider new or replacement equipment or furniture
- To oversee and supervise the provision of all ability activities to encourage activities that support and embrace a diverse group of users, that specifically cater for the enjoyment of public parks and to work with groups that encourage the same
- To oversee any administration requirements of the Charity Commission
- To organise an Annual Meeting of the Charity and such other meetings deemed necessary
- To actively strive to achieve and maintain Green Flag Status for the park
- To continue to support the parkrun events
- To implement items that increase public safety, security and welfare
- To encourage green initiatives that make use of public spaces
- To undertake public engagement and consultation on matters that have an impact on the general public and users of the park
- To be responsible for the Collett Festival Day, Children's Festival and other events and to delegate responsibly for its arrangement to the Event Management Team
- To set up such sub committees and working groups as necessary

Referred Business

To consider and make recommendations to Town Council and / or Policy & Resources Committee on the following matters:

- Budget estimates to be prepared no later than November in each year in order to advise the Town Council of the Annual Grant Requirements
- Provision of additional recreational facilities deemed necessary or desirable within the park
- Provision and / or improvement to the structural area of the Park
- Improvement to the delivery of services following service review
- Any other matters referred to the Collett Park Management Committee by the Town Council.

HUMAN RESOURCES COMMITTEE

Membership

The Committee shall consist of five Members plus one reserve plus Chairperson and Vice Chairperson (ex-officio)

Members wishing to serve on this Committee should provide a brief summary of their qualifications and expertise in the area of personnel matters prior to being selected to becoming a member of this committee. Members of this Committee will be provided with training on an ongoing basis, which they will be expected to undertake.

Delegated Business

The Committee has delegated authority to deal with the following matters to conclusion:

- Matters relating to the appointment, promotion, retention, discipline, salary and conditions of service of all staff of the council
- To discuss with the Town Clerk, and staff concerned, any issues relating to staffing levels and re-grading, pay levels and staffing structures and make recommendations to the Policy & Resources Committee.
- Compliance with statutory requirements relating to employment and health and safety of staff
- The development and maintenance of policies relations to equal opportunities and access for people with impairments for existing staff and potential applicants
- The training and development of staff
- All matters affecting the appointment, probation, promotion, discipline, salary and conditions of service of the Town Clerk
- To prepare budget proposals for the following financial year and to refer to the Policy and resources committee

The Human Resources Committee may exercise the powers of the council in regard to:

- The appointment of a grievance and disciplinary panel to consist of 4 councillors, to include the Chairperson of the Council
- To consider, and bring to a final conclusion any matters emanating from Grievance and Disciplinary procedures contained in the Contract of Service applicable to all members of staff employed by the Town Council.

GRIEVANCE AND COMPLAINTS PANEL

Parent Committee

Human Resources Committee

Membership

Three members elected by the Town Council and chaired by the Town Council Chairperson

Delegated Business

- The panel will consider, in conjunction with the Human Resources Committee, as and when necessary any grievances raised by members of staff.
- Hearings for grievance, disciplinary and capability matters in accordance with the Council's Grievance and Disciplinary Policy & Procedures
- Dealing with any grievance, disciplinary and capability matters to a final conclusion, only reporting to the Council when the time for any appeal has passed
- It is vital that the Grievance and Complaints Panel keeps confidential its deliberations and decisions in cases of grievance, disciplinary and capability hearings, because if an appeal against a decision is received it must, legally and in the interests of fairness, be heard again by elected members with no prior knowledge of the case
- Appointment of an appeals panel, if necessary

APPEALS PANEL

Parent Committee

The Town Council. The panel will meet on "a required basis"

Membership

Three members elected by the Town Council and chaired by the Town Council Vice-Chairperson

Delegated Business

- The panel will consider, in conjunction with the Town Council, as and when necessary any appeals raised by members of staff.
- The appeals panel is delegated to make decisions on behalf of the Council in the following matters
- Appeals against decisions made by the Human Resources Committee in grievance, disciplinary and capability matters
- Dealing with appeals to a final conclusion/ only reporting to Council its actions is has taken at the end of the process

MARKET CROSS MANAGEMENT CHARITY COMMITTEE

Membership

The Charity shall consist of five Members plus Chairperson and Vice Chairperson (ex-officio)

Delegated Business

The Charity has delegated authority to deal with the following matters to conclusion:

- Administration, maintenance and use of the Market Cross in its entirety;
- Setting of conditions of use, provision of equipment for areas under its control
- Liaison with community organisations which have an interest in the maintenance of the Monument;
- To consider new or replacement equipment or furniture
- To oversee and supervise the provision of all ability activities
- To oversee any administration requirements of the Charity Commission
- To organise an Annual Meeting of the Charity and any such other meetings deemed necessary

Referred Business

To consider and make recommendations to Town Council and / or Policy & Resources Committee on the following matters:

- Budget estimates to be prepared no later than November in each year in order to advise the Town Council of the Annual Grant Requirements
- Provision of additional facilities deemed necessary or desirable within the environs of the Market Cross
- Provision and / or improvement to the structural area of the Market Cross
- Any other matters referred to the Market Cross Committee by the Town Council

CENOTAPH CHARITY COMMITTEE

Membership

The Charity shall consist of five Members plus Chairperson and Vice Chairperson (ex-officio)

Delegated Business

The Charity has delegated authority to deal with the following matters to conclusion:

- Administration, maintenance and use of the Cenotaph in its entirety
- Setting of conditions of use, provision of equipment for areas under its control
- Liaison with community organisations which have an interest in the maintenance of the Monument
- To oversee any administration requirements of the Charity Commission
- To organise an Annual Meeting of the Charity and any such other meetings deemed necessary

Referred Business

To consider and make recommendations to Town Council and / or Policy & Resources Committee on the following matters:

- Budget estimates to be prepared no later than November in each year in order to advise the Town Council of the Annual Grant Requirements
- Provision of additional facilities deemed necessary or desirable within the environs of the Cenotaph
- Provision and / or improvement to the structural area of the Cenotaph
- Any other matters referred to the Cenotaph Committee by the Town Council

END