

# **Standing Orders**

**December 2017**

# STANDING ORDERS of ARUNDEL TOWN COUNCIL

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# STANDING ORDERS of ARUNDEL TOWN COUNCIL

## PREFACE

### 0.1 Introduction

The purpose of these Standing Orders is to define the rules by which the Council and its members shall abide in the conduct of business.

Standing Orders which appear in **bold type** are mandatory in that they are laid down in Acts of Parliament. These Standing Orders cannot be altered.

This set of Standing Orders is based on the model set produced by the National Association of Local Councils (NALC) and employs the Standing Order Numbers from that set wherever possible. However, some amendments have been made to reflect the particular needs of Arundel Town Council.

In exceptional circumstances, the Council may – by formal resolution in relation to a specific item of business – suspend any part of these Standing Orders (except those printed **in bold type**).

### 0.2 Definitions

#### Adoption

“Adoption” is the term employed to signify the Town Council’s acceptance of a policy, strategy, etc.

For example: “The Town Council ADOPTED the Risk Management Policy”

#### Clear Days

“Clear days” must be completely clear days between two events – example, in defining the number of “clear days” between the issue of a Summons to a Meeting and the Meeting itself, they do not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.”

#### He/She, etc.

Use of the masculine gender in these Standing Orders is to be interpreted as also meaning the feminine gender, as appropriate.

#### Motion

A “Motion” is a proposal. A Motion may be “moved” (i.e. put forward) in a number of ways, and may be subject to certain rules, as explained within these Standing Orders. If a Motion is “passed” (i.e. approved by a majority vote), it may become either a Resolution or a Recommendation (see below).

#### Resolution

A “Resolution” is a decision. A Resolution may be made by the full Town Council or, under an appropriate delegated authority, by a Committee of the Council.

#### Recommendation

A “Recommendation” is normally a recommendation from a Committee to the full Town Council (where the Committee does not have the delegated authority to make a Resolution OR when the Committee decides that a matter is of such import that the full Council should consider the matter). A Working Group may also make “Recommendations” to a Council Committee.

*NOTE: The delegated authorities of Council Committees are specified within each Committee’s Terms of Reference.*

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## MEETINGS

### 1. Council Meetings

- a) Meetings of Arundel Town Council shall be held at the Town Hall in every month except August. These meetings shall normally be held on the second Thursday of the month, commencing at 7.00pm. Time and day of meeting may be varied if required.
- b) So long as 3 clear days notice is given, additional meetings of the Council may be called by the Chairman of the Council or following the written request of not less than seven members of the Council.
- c) **Meetings shall not take place in premises, which at the time of the meeting are used for the supply of alcohol, unless no other premises are available, free of charge or at a reasonable cost.**

### 2. Statutory Meetings

- a) **In an election year, the statutory Annual Town Council Meeting shall be held on or within 14 days following the day on which the elected Councillors take office.**
- b) **In a year which is not an election year, the statutory Annual Town Council Meeting shall be held on such day in May as the Council may direct.**
- c) **It is a statutory requirement that, in addition to the Annual Town Council Meeting, at least three other statutory meetings shall be held in each year on such dates and times and at such place as the Council may direct.** (In the case of Arundel Town Council, this requirement is met via Standing Order 1 a) above.)

### 3. Summonses, Agendas, Papers and Minutes for Meetings

- a) Summonses for Town Council meetings and Agendas for Town Council Committee meetings shall be issued at least 5 clear days in advance of each meeting. Summonses and Agendas shall be emailed (including Town Council summonses provided that hard copies of the summonses are made available at the Town Council meeting) posted or delivered to the addresses of all Town Councillors and shall be copied to the addresses of the District Councillors and the County Councillor for Arundel . Copies shall also be posted, on the day of issue, on the Town Notice Boards and the Town Council Website.
- b) Papers for consideration at a Town Council/Committee meeting shall normally be issued to Town Councillors with the Summons / Agenda for that meeting. However, in exceptional circumstances and with the permission of the Chairman, papers may be issued up to two clear days prior to the meeting at which they are due to be considered. Papers tabled at a meeting can only be considered if the meeting agrees to suspend this Standing Order (see Standing Order 79 below).
- d) Minutes of all meetings (including Committee meetings) shall be drafted by the Town Clerk, or another designated Officer.

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

- i. the time and place of the meeting;
- ii. the names of councillors present and absent;
- iii. interests that have been declared by councillors and non-councillors with voting rights;
- iv. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
- v. if there was a public participation session; and the resolutions made.
- vi. Drafts should, if possible, be cleared with the Chairman of the relevant meeting prior to issue.
- vii. Minutes shall be issued to all Councillors within 8 calendar days of a meeting.
- viii. Minutes of the proceedings of a meeting must be kept in a book provided for the purpose. If the minutes are kept in loose leaf form, each page must be consecutively numbered and initialled by the person presiding at the meeting at which the minutes are approved. Included with the minutes should be any reports which were an integral part of the decision making of resolutions.
- ix. Properly signed minutes can be received in court as evidence of what they record without further proof. Until the contrary is proved, a meeting of a local council whose proceedings are so minuted is deemed to have been duly convened and held and those members present are deemed to have been duly qualified.
- x. The signed minutes of the meetings of the council (including the minutes of decisions in proceedings held whilst the public were excluded) must be available for inspection by local government electors for the town or community at all reasonable hours.
- xi. The draft minutes of a meeting should be published on a website no later than one month after the meeting has taken place.
- xii. They must be published on a free and publicly accessible website .
- xiii. Local government electors may make their own copies of, or take extracts from, the minutes. The council is not obliged to provide paper copies of the minutes or copying facilities

## **CHAIRMAN OF THE MEETING**

4. The person presiding at a meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the meeting.

## **PROPER OFFICER**

5. Where a statute, regulation or order confers functions or duties on the Proper Officer of the Council, in the following cases he shall be the Town Clerk or a nominated officer:

To receive declarations of acceptance of office.

To receive and record notices disclosing interests.

To receive and retain plans and documents.

To sign notices or other documents on behalf of the Council.

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- To receive copies of byelaws made by another Local Authority.
- To certify copies of byelaws made by the Council.
- To sign and issue summonses to attend meetings of the Council.
- To keep proper records of all Council Meetings.

## QUORUM OF THE COUNCIL

6. **Four members or one third of the total membership, whichever is the greater, shall constitute a quorum at meetings of the Council.**
7. If a quorum is not present or if during the meeting the number of members present (not counting those debarred by reason of a declared interest) falls below the required quorum, the meeting shall be adjourned and the business not transacted shall be transacted at the next meeting or on such other day as the Chairman shall arrange.
8. For a quorum relating to a Committee or Sub-Committee, see standing order 42.

## VOTING

9. Members shall vote by a show of hands or – if at least two members so request – by signed ballot.
10. **If a member so requires, the Town Clerk shall record the names of the members who voted on any Motion so as to show whether they voted for or against it. Such a request must be made before moving on to the next business.**
11. Voting by Chairman
  - a) Subject to paragraph b) below, the Chairman may give an original vote on any matter put to the vote and, in any case of an equality of original votes, may give a casting vote whether or not he gave an original vote.
  - b) If the person presiding at the beginning of the Annual Town Council Meeting would have ceased to be a member of the Council but for the statutory provisions which preserve the membership of the Chairman and Deputy Chairman until the end of their term of office, he may not give an original vote in an election for Chairman. However, the person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.

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## ORDER OF BUSINESS

12. Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution, which shall give reasons for the public's exclusion. See standing order 68

At each Annual Town Council Meeting, the FIRST BUSINESS shall be:

- a) **To elect a Chairman of the Council**, who shall thereupon become the Mayor of Arundel for the ensuing year.
- b) **To receive the Mayor's declaration of acceptance of office or, if not then received, to decide when it shall be received.**
- c) **In an election year, to fill any vacancies left unfilled at the election by reason of insufficient nominations.**
- d) **To decide when any declarations of acceptance of office which have not been received as provided by law shall be received.**
- e) To elect a Vice-Chairman of the Council, who shall thereupon become the Deputy Mayor of Arundel for the ensuing year.
- f) To appoint Standing Committees.
- g) To appoint Representatives to Outside Bodies.

and the business shall thereafter follow the order set out in Standing Order 15.

13. **At every meeting other than the Annual Town Council Meeting, the FIRST BUSINESS shall be to appoint a Chairman if the Chairman and Vice-Chairman be absent and to receive such declarations of acceptance of office (if any) and undertakings to observe the Council's Code of Conduct as are required by law to be made or, if not then received, to decide when they shall be received.**

14. The FIRST BUSINESS of all Town Council Meetings and Committee Meetings shall also include provision for:

- a) Public Questions (questions not statements) – the period of time designated for public participation at a meeting shall not exceed 15 minutes unless directed by the chairman of the meeting.
  - b) In accordance with standing order 14(a) above, a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given
  - c) Apologies for absence – received from Councillors unable to attend.
  - d) Declarations of Interest – by Councillors in relation to specific Agenda items.
15. After the FIRST BUSINESS has been completed (in accordance with Standing Orders 12/13 and 14

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above), the ORDER OF BUSINESS FOR TOWN COUNCIL MEETINGS SHALL BE AS FOLLOWS:

- a) To consider the Minutes of the previous meeting and deal with any Motions raised to correct those Minutes. (See also Standing Order 28 below).
- b) **After consideration, to approve the signature of the Minutes by the Chairman as a correct record.**
- c) To deal with any Matters Arising from the Minutes of the previous meeting.
- d) **To deal with business expressly required by statute to be done.**
- e) To receive such communications as the Chairman may wish to lay before the Council.
- f) To receive and consider Reports and Minutes of Committees and, in particular, to receive and vote individually upon any Recommendations which have been made by Committees.

*NOTE: Under Standing Order 15f, a member of the Council may, without notice, ask the Chairman of the Meeting or the Chairman of a Committee any question upon the Report of a Committee then before the Council.*

- g) To receive and consider any Reports from Officers of the Council.
- h) To receive and consider any Motions Moved On Notice in the order in which they have been notified. (See Standing Orders 17 – 22 below).
- i) To answer any Questions Raised On Notice by Councillors. (See Standing Orders 24-27 below)
- j) If necessary, to authorise the sealing of documents.
- k) If necessary, to authorise the signing of orders for payment

## **URGENT BUSINESS**

16. A Motion to vary the order of business on the ground of urgency:
  - a) May be proposed by the Chairman or by any member and, if proposed by the Chairman, may be put to the vote without being seconded; and
  - b) Shall be put to the vote without discussion.

## **MOTIONS MOVED ON NOTICE**

17. Except as provided by these Standing Orders, no Motion may be moved unless the business to which it relates has been put on the Agenda by the Town Clerk or the mover has given notice in writing of its terms and has delivered the notice to the Town Clerk at least seven clear days before the next meeting of the Council, in which case it shall be termed a "Motion Moved On Notice".
18. The Town Clerk shall date every Motion Moved On Notice when received by him, shall number each such Motion in the order in which it was received and shall enter it in a Motions Book which shall be open to the inspection of every member of the Council.



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19. The Town Clerk shall insert in the Summons for every meeting any Motions Moved On Notice in the order in which they have been received unless the member giving notice of a Motion has stated in writing to the Town Clerk that he intends to move it at some later meeting or that he withdraws it.
20. If a Motion specified in the Summons is not moved, either by the member who gave notice of it or by any other member, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved again without fresh notice. Similarly, if such a Motion is not formally seconded, it shall be treated as withdrawn and shall not be moved again without fresh notice.
21. A Motion Moved on Notice shall be read at the Council meeting at which it is first moved without further discussion or debate and shall then be referred to the next meeting of the Council for debate. However, if the Motion falls within the province of a Committee of the Council, such Committee shall be entitled to consider it prior to debate by the full Council and the Motion shall therefore be included for discussion at the next meeting of the appropriate Committee, which may then make observations or recommendations about the Motion in its report to the next full Council meeting.
22. Every Motion Moved on Notice shall be relevant to some subject over which the Council has power or duties or which affects its area.

*NOTE: Motions Moved On Notice (via Standing Orders 17 – 22) should only be employed as a last resort. Members should normally seek to have issues raised by including them in the agenda for a meeting of the appropriate Committee.*

### **MOTIONS MOVED WITHOUT NOTICE**

23. Motions dealing with the following matters may be moved without notice:
  - a) To appoint a Chairman of the meeting.
  - b) To correct the Minutes.
  - c) To approve the Minutes.
  - d) To alter the order of business.
  - e) To proceed to the next business.
  - f) To close or adjourn the debate.
  - g) To refer a matter to a Committee.
  - h) To appoint a Committee or any members thereof.
  - i) To adopt a Report.
  - j) To authorise the sealing of documents
  - k) To amend a Motion.
  - l) To withdraw a Motion.
  - m) To extend the time limit for speeches.
  - n) To exclude the press and public. (See Standing Orders 67 and 68 below)

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- o) To silence or eject a member named for misconduct. (See Standing Order 33 below)
- p) To give consent of the Council where such consent is required by these Standing Orders.
- q) To suspend any Standing Order. (See Standing Order 79 below)
- r) To adjourn the meeting.

## QUESTIONS RAISED ON NOTICE

- 24. A member may ask the Mayor, a Committee Chairman or the Town Clerk any question concerning the business of the Council, provided seven clear days notice of the question has been given in writing to the person to whom it is addressed.
- 25. No questions not connected with business under discussion shall be asked except during the part of the meeting set aside for members' questions.
- 26. Every question shall be put and answered without discussion.
- 27. A person to whom a question has been put may decline to answer.

## RULES OF DEBATE

### 28. Minutes of Previous Meeting

No discussion of the Minutes shall take place except upon their accuracy. Corrections to the Minutes must be proposed via a Motion and shall be accepted only via a Resolution. Amendments thus accepted must be entered and initialled by the Chairman.

### 29. Motions

- a) A Motion or Amendment shall not be discussed unless it has been proposed and seconded, and it shall – if required by the Chairman – be reduced to writing and handed to him before it is further discussed or put to the meeting.
- b) When a Motion is under debate, no other Motion shall be moved except the following:
  - i. To move an Amendment to the Motion.  
*NOTE: In moving an Amendment to a Motion, a member must specify the precise changes he proposes to the wording of that Motion (i.e. which words are to be omitted, which words are to be replaced and/or which words are to be added).*
  - ii. To proceed to the next business.
  - iii. To adjourn the debate.

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- iv. That the question be now put.
  - v. That a member named be not further heard.
  - vi. That a named member leave the meeting.
  - vii. That the Motion be referred to Committee.
  - viii. That the Press and Public be excluded.
  - ix. That the meeting be adjourned.
- c) In any ensuing discussion, the Mover of a Motion or Amendment shall speak first and shall, at the end of the discussion, have a right of reply. After this right of reply has exercised or waived, a vote shall be taken without further discussion.
  - d) No speech, by the Mover of a Motion or by any other member, shall exceed five minutes, except by consent of the Council
  - e) A member shall direct his speech only to the matter under discussion.
  - f) A member, other than the Mover of a Motion, shall not, without leave of the Chairman, speak more than once on any Motion except to move an Amendment or to speak on an Amendment or to move a closure of the debate.
  - g) Notwithstanding Paras e) and f) above, a member shall be heard forthwith if he wishes to raise a Point Of Order or to provide a Personal Explanation.

### NOTES:

- (1) A point Of Order shall only be deemed relevant if it relates to a breach of these Standing Orders or a legislative responsibility of the Council.*
  - (2) A Personal Explanation shall be confined to some material part of a member's former speech which he believes may have been misunderstood.*
- h) A Motion or Amendment may be withdrawn by the Mover with the consent of the Council, which shall be signified without discussion, and no member may speak upon it after permission has been asked for its withdrawal unless such permission has been refused.
  - i) A mover may, with the consent of his Secunder, move an Amendment to his own Motion.
  - j) An Amendment shall not have the effect of negating the Motion before the Council.
  - k) If an Amendment be carried, the Motion, as amended, shall take the place of the original Motion and shall become the Motion upon which any further Amendment may be moved.
  - l) A further Amendment shall not be moved until the Council has disposed of every Amendment previously moved.

### 30. Etiquette

- a) A member shall stand when speaking unless permitted by the Chairman to sit on account of infirmity.

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- b) Members shall address the Chairman. If two or more members rise to speak, the Chairman shall decide whom to call upon.
- c) Whenever the Chairman speaks during a debate, all other members shall be silent.
- d) The ruling of the Chairman on a Point of Order or on the admissibility of a Personal Explanation shall be final and shall not be discussed.

31. Not used. (Incorporated in Standing Order 30)

### 32. Closure Options

- a) At the end of any speech a member may, without comment, move a Motion “that the question be now put”, “that the debate be now adjourned” or “that the Council do now adjourn”.
- b) If such Motion is seconded, the Chairman shall put the Motion but, in the case of a Motion “that the question be now put”, only if he is of the opinion that the question before the Council has been sufficiently debated.
- c) If the Motion “that the question be now put” is carried, the Chairman shall call upon the mover to exercise or waive his right of reply and shall put the question immediately after that right has been exercised or waived.
- d) The adjournment of a debate or of the Council shall not prejudice the mover’s right of reply at the resumption.

### 33. Disorderly Conduct

- a) **All members must observe the Code of Conduct which was adopted by the Council on 7<sup>th</sup> December 2017, a copy of which is annexed to these Standing Orders.**
- b) **No member shall** at a meeting persistently disregard the ruling of the Chairman, willfully obstruct business, or behave irregularly, offensively, improperly or **behave in such a manner as to bring the Council into disrepute.**
- c) If, in the opinion of the Chairman, a member has broken the provisions of Paragraph b) of this Standing Order, the Chairman shall express that opinion to the Council and thereafter any member may move that the member named be no longer heard or that the member named do leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
- d) If either of the motions mentioned in Paragraph c) of this Standing Order is disobeyed, the Chairman may adjourn the meeting or take such further steps as reasonably be necessary to enforce them.
- e) **If a member reasonably believes another member is in breach of the Code of Conduct, that member is under a duty to report the breach to the Standards Board of England.**

34. Right of Reply (Incorporated in Standing Order 29)

35. Alteration of Motion (Incorporated in Standing Order 29)

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## **RESCISSION OF PREVIOUS RESOLUTION**

### 36. The 6-month Rules on Rescission

- a) A decision of the Council (whether positive or negative) shall not be reversed within six months except either by a Special Motion, the written notice whereof bears the names of at least seven members of the Council, or by a Motion moved in pursuance of the Report or Recommendation of a Committee.
- b) When a Special Motion or any other Motion moved under the provisions of paragraph a) of this Standing Order has been disposed of, no similar Motion may be moved within a further six months.

## **VOTING ON APPOINTMENTS**

37. Where more than two persons have been nominated for any position to be filled by the Council and of the votes given there is not an absolute majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken, and so on until a majority of votes is given in favour of one person.

## **DISCUSSIONS AND MOTIONS AFFECTING EMPLOYEES OF THE COUNCIL**

### 38. a) Exclusion of Press & Public

If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service, of any person employed by the Council, it shall not be considered until the Council or Committee (as the case may be) has decided whether or not the press and public shall be excluded. (See Standing Orders 67 and 68).

### b) Annual Reviews

In every year, the Council shall review the pay and conditions of service of existing employees. Reviews shall take place in conjunction with the process of fixing the annual budget for the following year (in order to ensure adequate financial provision) AND at the time that cost-of-living pay awards for that year are considered.

## **MOTIONS ON EXPENDITURE**

39. Any Motion which is moved otherwise than in pursuance of a Recommendation of the Finance Committee and which, if carried, would – in the opinion of the Chairman – increase the expenditure in excess of £25,000 upon any service which is under the management of the Council or reduce the revenue in excess of £25,000 at the disposal of any Committee, or which would involve capital expenditure, shall – when proposed and seconded – stand adjourned without discussion to the next ordinary meeting of the Council, whereat the Finance Committee shall report on the financial implications of the Motion.

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## AUTHORITY FOR PAYMENT

40. All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practice and the council's finance regulations. (NALC 2013)

## SEALING OF DOCUMENTS

41. A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a Resolution.

*NOTE: The Council's common seal shall alone be used for sealing documents. It shall be applied by the Proper Officer in the presence of two members, who shall both sign the document as witnesses.*

## STANDING COMMITTEES

42. The Council may at its Annual Meeting appoint Standing committees and may at any other time appoint other Committees and/or dissolve existing Committees, and (subject to any statutory provision in that behalf), the following rules shall apply to all Committees:

- a) Each Committee shall normally comprise 5 members (in addition to the 2 ex officio members – see Para b) below).
- b) The Mayor & Deputy Mayor shall be ex officio members of every committee.
- c) A quorum of a Committee shall be 3 members.
- d) The selection of members for each Committee shall take account of the expressed preferences of each member. In cases of over- or under-subscription, the incoming Mayor and Deputy Mayor shall discuss matters with the members affected, before taking the final decision on Committee composition.

*NOTE: Members are encouraged to widen their experience by serving on different Committees over their Period of office.*

- e) The Council shall not appoint any member of a Committee to hold office later than the next Annual meeting.
- f) Each Committee shall, at its first meeting each year, and before proceeding to any other business, elect a Chairman and a Vice-Chairman who shall hold office until the next Annual Meeting of the Council.
- g) Each Committee shall, at its first meeting each year and before proceeding to any further business (beyond that specified in Para f) above), review its current Terms of Reference or (if a new Committee) agree its proposed Terms of Reference. If a Committee wishes to vary its current Terms of Reference, or create new Terms of Reference, it shall recommend such variation or creation in a Motion put to the next meeting of the Town Council.

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- h) If an appointed member of any Committee is unable to attend a meeting of that Committee, it shall be the responsibility of that member to arrange, if possible, for a substitute member to attend in his place. The substitute member shall be entitled to speak and vote in connection with the business before the Committee in his or her own right and shall not be regarded as an agent for the member of the Committee for whom he acts as a substitute.
- i) A Committee may co-opt up to two persons who may or may not be members of the Council to advise or assist the Committee in connection with certain matters with which the Committee may be concerned, but such persons shall have no voting rights in such co-opted capacity.
- j) A Committee may set up Working Groups to investigate or research any matters with which the Committee may be concerned and report back to the Committee. Such Working Groups may co-opt Persons who may or may not be members of the Council to assist them in their investigations and researches. However, such Working Groups have no authority other than to report back, with or without recommendations, to their host Committee.

43. Not used (Incorporated in Standing Order 42)

44. Not used (Incorporated in Standing Order 42)

### 45. Special Meetings of Committees

- a) The Chairman of a Committee or the Mayor may summon a Special Meeting of that Committee at any time.
- b) A Special Meeting may also be summoned on the requisition in writing of not less than a quarter of the members of a Committee.
- c) The summons for such Special Meetings shall set out the business to be considered and no other business shall be transacted at that meeting.

46. Not Used )

47. Not Used ) Sub-Committees no longer feature in ATC structure

48. Not Used )

### 49. Rules of Debate in Committees Meeting

- a) Standing Orders 28-33 (Rules of Debate) shall apply to Committee meetings (except those parts relating to standing and to speaking more than once).
- b) Standing Order 57 (Interests) shall also apply to Committee meetings.

50. Not used. (Incorporated into Standing Order 42)

### 51. Voting in Committees

- a) Members of Committees entitled to vote shall vote by show of hands or – if any member so requests – by recorded vote.
- b) **Chairmen of Committees shall in the case of an equality of votes have a second or casting vote.**

52. Not used. (Incorporated as Standing Order 51 b) above)

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## 53. Presence of Non-Members of Committees at Committee Meetings

- a) A member who has proposed a Motion, which has been referred to a Committee of which he is not a member, may explain his Motion to the Committee, but shall not vote.
- b) A member who is not a member of a Committee may, at the discretion of the Chairman, be invited to sit at the Committee table. Such a member may, with the permission of the Chairman, make a statement concerning any item on the agenda, but shall not vote.

## **ACCOUNTS AND FINANCIAL STATEMENTS**

54. Not used (Incorporated in the Arundel Town Council Financial Regulations 2017)
55. Not used (Incorporated in the Arundel Town Council Financial Regulations 2017)
56. Not used (Incorporated in the Arundel Town Council Financial Regulations 2017)

## **INTERESTS**

57. The Council has adopted a Members' Code of Conduct (a copy of which is attached to these Standing Orders) detailing the procedure to be adopted for Members' conduct and disclosing any pecuniary and/or non pecuniary interest. Each Member of the Council must upon election or co-option agree to abide by the terms, conditions and requirements of the adopted Members' Code of Conduct.

SO 58, 59 and 60 (no longer used)

## **APPOINTMENTS TO COUNCIL JOBS**

### 61. Disclosure of Relationships

- a) If a candidate for any appointment under the Council is to his knowledge related to any member of or the holder of any office under the Council, he and the person to whom he is related shall disclose the relationship in writing to the Town Clerk.
- b) A candidate who fails to disclose such a relationship shall be disqualified for such appointment, and, if appointed, may be dismissed without notice.
- c) The Town Clerk shall report to the Council or to the appropriate Committee any such disclosure.
- d) Where a relationship to a member is disclosed, Standing Orders 57 and 58 shall apply as appropriate.

62. The Town Clerk shall make known the purport of Standing Order 61 to every candidate.



# STANDING ORDERS of ARUNDEL TOWN COUNCIL

63. Canvassing of and Recommendations By Members
- a) Canvassing of members of the Council, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Town Clerk shall make known the purport of this paragraph of this Standing Order to every Candidate.
  - b) A member of the Council shall not solicit for any person any appointment under the Council, but – if requested so to do – may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
64. Application to Tenders for Council Work  
Standing Order Nos. 61 – 63 shall apply to tenderers for Council work as if the tenderer were a candidate for an appointment.

## INSPECTION OF DOCUMENTS

65. **In accordance with the Freedom of Information Act, members of the public shall have the right of access to all formally-published Council documents (but not confidential or commercially-sensitive documents).** A list of available documents shall be published on the Council's website and a printed copy of this list shall also be obtainable on request. Members of the public may be provided with printed copies of such documents for a small fee. **Members of the public may also submit written requests for information relating to the business of the Council and, if such requests are legitimate, must receive a written response from the Council within 20 days.**
66. **All minutes and papers kept by the Council and by any Committee shall be open for the inspection of any member of the Council.**

## UNAUTHORISED ACTIVITIES

67. Unless authorised to do so by the Council or the relevant Committee, no member of the Council shall in the name of or on behalf of the Council:
- a) Inspect any lands or premises which the Council has a right or duty to inspect; or
  - b) Issue orders, instructions or directions.

## ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

68. **The public and press shall be admitted to all meetings of the Council and its Committees which may, however, temporarily exclude the public and the press by means of a Motion in the following form:**

# **STANDING ORDERS of ARUNDEL TOWN COUNCIL**

“That in view of the [special] [confidential] nature of the business about to be transacted, it is advisable in the public interest that the press and public be temporarily excluded and they are instructed to withdraw.”

69. The Chairman of the Council or Committee meeting shall state the special reason for exclusion.
70. Under an initial agenda item at all meetings of the Council and its Committees, members of the public may ask any questions on any matters over which the Council has control.
71. The Town Clerk shall afford to the press reasonable facilities for the taking of their report of any proceedings at which they are entitled to be present. Audio and video recording and photographs of the meeting are allowed
72. If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that he be removed from the meeting and may adjourn the meeting for such period as is necessary to restore order.

## **CONFIDENTIAL BUSINESS**

73. No member of the Council shall disclose to any person not a member of the Council any business declared to be confidential by the Council or any of its Committees. Any member in breach of the provisions of this Standing Order may, following a Resolution of the Council, be removed from any Committee of the Council.

## **LIASON WITH COUNTY AND DISTRICT COUNCILLORS**

74. As stated in Standing Order 3 a), copies of Summonses and Agendas for every each meeting shall be sent to the County and District Councillors for Arundel.
75. Unless the Council otherwise orders, each Council letter sent to the County or District Council shall be copied to the County Councillor or District Councillors for Arundel, as applicable.

## **PLANNING APPLICATIONS**

76. The Town Clerk shall maintain a record of every planning application notified to the Council, such record to include the following details:
  - a) The date on which it was received;
  - b) The name of the applicant; and
  - c) The place to which it relates;and the Town Clerk shall refer every planning application received to the next meeting of the Planning Committee.

## **FINANCIAL MATTERS**

- 77A. Financial Regulations
  - a) The Council shall consider and approve Financial Regulations drawn up by the Responsible Financial Officer.

# STANDING ORDERS of ARUNDEL TOWN COUNCIL

- b) Such Regulations shall include detailed arrangements for the following:
- (1) The accounting records and systems of internal control.
  - (2) The assessment and management of risks faced by the Council.
  - (3) The work of the Internal Auditor and the receipt of regular reports from the Internal Auditor which shall be required at least annually.
  - (4) The financial reporting requirements of members and local electors.
  - (5) Procurement policies (subject to Standing Order 77B below) including the setting of values for different procedures where a contract has an estimated value of more than £25,000.
- c) The Financial Regulations of the Council shall be subject to regular review, at least once every four years.

## 77B. Procurement Policy

- a) 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 paragraph b) below.
- b) Any formal tender process shall comprise the following steps:
- (1) A public notice of intention to place a contract shall be placed in a local newspaper.
  - (2) A specification of the goods, materials, services and the execution of works shall be drawn up.
  - (3) Invitations to tender shall be issued to at least 3 appropriately-experienced contractors. All tender notices shall contain a reference to the Standing Orders 61, 63 & 64 regarding improper activity.
  - (4) Tenders are to be sent, in a sealed marked envelope, to the Town Clerk by a stated date and time.
  - (5) Tenders submitted are to be opened, after the stated closing date and time, by the Town Clerk and at least one member of Council.
  - (6) Tenders are then to be assessed and reported to the appropriate meeting of Council or Committee.
- c) The Council is not bound to accept the lowest tender, estimate or quote. The Council shall seek value for Money (VfM).

*NOTE: Council is reminded that the European Union Public Sector Procurement Rules are likely to apply to contracts with a value in excess of £140,000 and advice should be sought at this level.*

## **COMPLAINTS OF MALADMINISTRATION**

78. The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or member in such manner as adopted by the Council except for those complaints which should be properly directed to the Standards Board of England for consideration.

# STANDING ORDERS of ARUNDEL TOWN COUNCIL

## MAYORAL SELECTION COMMITTEE

- 78A. In March of each year, the Town Council shall meet in Committee (*at a meeting open to the public*) to consider and agree which members should be elected as Mayor and Deputy Mayor at the Annual Town Council Meeting in the ensuing May. In an election year, the Mayoral Selection Committee may need to be re-convened – in early May – to affirm or reconsider the decision taken in March.
- 78B Also at this meeting members should agree the appointments of the Mace Bearer and Town Crier to take place at the Annual Town Council meeting in the ensuing May.

## VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

79. Any or every part of these Standing Orders, except those printed in **bold type**, may be suspended by Resolution in relation to any specific item of business.
80. A Motion permanently to add, vary or revoke a Standing Order shall when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

## STANDING ORDERS TO BE GIVEN TO MEMBERS

81. A copy of Standing Orders shall be given to each member by the Town Clerk upon delivery to him of the member's declaration of acceptance of office and written undertaking to observe the Code of Conduct adopted by the Council AND following any formal amendment of Standing Orders.

- END -

# STANDING ORDERS of ARUNDEL TOWN COUNCIL



## **Members' Code of Conduct**

7<sup>th</sup> December 2017

On election or co-option to Arundel Town Council a member is required to sign an undertaking to comply with the authority's Members' Code of Conduct.

The following is the new Members' Code of Conduct for Arundel Town Council, which comes into effect from 7<sup>th</sup> December 2017

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As an elected or co-opted member of Arundel Town Council I have a responsibility to represent the community and work constructively with our staff and partner organisations to secure better social, economic and environmental outcomes for all.

In accordance with the Localism Act 2011 provisions, when acting in this capacity I am committed to behaving in a manner that is consistent with the following principles to achieve best value for our residents and maintain public confidence in this authority. The following are the statutory principles of the Members' Code of Conduct:

- **SELFLESSNESS:** Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.
- **INTEGRITY:** Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.
- **OBJECTIVITY:** In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.
- **ACCOUNTABILITY:** Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.
- **OPENNESS:** Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.
- **HONESTY:** Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.
- **LEADERSHIP:** Holders of public office should promote and support these principles by leadership and example.

# STANDING ORDERS of ARUNDEL TOWN COUNCIL

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As a member of Arundel Town Council, my conduct will in particular address the statutory principles of the Members' Code of Conduct by:

1. Championing the needs of residents – the whole community and in a special way my constituents, including those who did not vote for me – and putting their interests first.
2. Dealing with representations or enquiries from residents, members of our communities and visitors fairly, appropriately and impartially.
3. Not allowing other pressures, including the financial interests of myself or others connected to me, to deter me from pursuing constituents' casework, the interests of the district of Arun or the good governance of the authority in a proper manner.
4. Exercising independent judgement and not compromising my position by placing myself under obligations to outside individuals or organisations who might seek to influence the way I perform my duties as a member of this authority.
5. Listening to the interests of all parties, including relevant advice from statutory and other professional officers, taking all relevant information into consideration, remaining objective and making decisions on merit.
6. Being accountable for my decisions and co-operating when scrutinised internally and externally, including by local residents.
7. Contributing to making this authority's decision-making processes as open and transparent as possible to enable residents to understand the reasoning behind those decisions and to be informed when holding me and other members to account but restricting access to information when the wider public interest or the law requires it.
8. Behaving in accordance with all our legal obligations, alongside any requirements contained within this authority's policies, protocols and procedures, including on the use of the authority's resources.
9. Valuing my colleagues and staff and engaging with them in an appropriate manner and one that underpins the mutual respect between us that is essential to good local government.
10. Always treating people with respect, including the organisations and public I engage with and those I work alongside.
11. Providing leadership through behaving in accordance with these principles when championing the interests of the community with other organisations as well as within this authority.

**In addition:**

12. Within 28 days of taking office, or signing an undertaking to abide by the authority's Members Code of Conduct [whichever is the sooner] and within 28 days of any change of my circumstances I will notify Arun District Council's Monitoring Officer of any discloseable pecuniary interest, where that interest is mine, my spouse's<sup>1</sup> or non-pecuniary interest that is required by the authority, by completing and signing a Register of Interests Form, and returning that Register of Interests Form to the Monitoring Officer (copy to the Town Clerk).
13. If I have a discloseable interest at a meeting, and that matter is not a 'sensitive' interest, and that interest has not been entered onto my Register of Interests Form, I will disclose that interest to the meeting of the authority at which I am present.

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<sup>1</sup> or civil partner, or is the pecuniary interest of somebody with whom I am living with as if I were a spouse or a civil partner

## STANDING ORDERS of ARUNDEL TOWN COUNCIL

14. Following any disclosure of interest in paragraph 13 of the Members' Code of Conduct, I will notify the Monitoring Officer (copy to the Town Clerk) of the interest within 28 days beginning from the date of disclosure by completing and signing a new Register of Interests Form.
15. Unless dispensation has been granted, I will not participate in any discussion of, vote on, or discharge any function related to any matter in which I have a Pecuniary Interest as defined by regulations made by the Secretary of State.
16. I agree that, where I have a Pecuniary Interest in an item to be considered at a meeting, it is my responsibility to ask, before I leave the meeting, for it to be minuted that I am leaving the meeting for that item, so there is clear evidence that I did not take part in the debate or the vote.
17. I will observe the restrictions the authority places on my involvement in matters where I have a Pecuniary or non-Pecuniary interest as defined on my Register of Interests Form.

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I hereby undertake to Arundel Town Council that I will comply with my statutory responsibilities under The Localism Act 2011 and I further undertake to comply with Arundel Town Council's local Code of Conduct as set out above and any consequential request made to me by its Standards Committee.

Signed : \_\_\_\_\_

PRINT NAME : \_\_\_\_\_

Dated : \_\_\_\_\_