



LUTTERWORTH TOWN COUNCIL

STANDING ORDERS

1. MEETINGS

- (a) Meetings of the Council shall be held at 7pm normally on the second Tuesday in each month except in August, when no ordinary meeting shall be held. The Council may decide at any meeting or the Annual meeting to fix alternative dates and times.
- (b) Meetings will last for two hours, but this provision may be suspended by Resolution of the Council to enable a meeting to be extended up to a maximum of thirty minutes. Any business outstanding thereafter shall be transacted at the next meeting or on such other day as the Chairman may arrange.
- (c) WHEN CALCULATING THE 3 CLEAR DAYS FOR NOTICE OF A MEETING TO COUNCILLORS AND THE PUBLIC, THE DAY ON WHICH NOTICE WAS ISSUED, THE DAY OF THE MEETING, A SUNDAY, A DAY OF THE CHRISTMAS BREAK, A DAY OF THE EASTER BREAK OR OF A BANK HOLIDAY OR A DAY APPOINTED FOR PUBLIC THANKSGIVING OR MOURNING SHALL NOT COUNT.
- (d) THE MINUTES OF A MEETING SHALL RECORD THE NAMES OF COUNCILLORS PRESENT. ALL APOLOGIES SHOULD BE RECORDED THEN ONLY RECORDED AS ACCEPTED BY THE COUNCIL IF THE MEMBER HAS SENT IN THEIR APOLOGIES BEFORE THE START OF A MEETING AND BY GIVING REASON FOR THEIR ABSENCE. SHOULD AN APOLOGY BE SENT AND CONTAIN NO REASON THE ABSENCE THEN CAN ONLY BE RECORDED AND NOT ACCEPTED. LATE ARRIVALS SHOULD HAVE THE TIME OF JOINING THE MEETING RECORDED AND PLACED IN THE MINUTES AT THE CORRECT POINT IN WHICH THEY JOINED THE MEETING.
- (e) NON-ATTENDANCE OF MEETINGS RULING AS DEFINED IN SECTION 85, CLAUSE 1 OF THE LOCAL GOVERNMENT ACT 1972 SHOULD BE ADOPTED WITH AN AMENDMENT TO "IF A MEMBER OF THE TOWN COUNCIL FAILS THROUGHOUT A PERIOD OF SIX CONSECUTIVE MONTHS FROM THE DATE OF THEIR LAST ATTENDANCE TO ATTEND ANY 'FULL MEETING OF THE COUNCIL ONLY', THEY SHALL, UNLESS THE FAILURE WAS DUE TO SOME REASON APPROVED BY THE COUNCIL BEFORE THE EXPIRY OF THAT PERIOD, CEASE TO BE A MEMBER OF THE COUNCIL".
- (f) THE CODE OF CONDUCT ADOPTED BY THE COUNCIL SHALL APPLY TO COUNCILLORS IN RESPECT OF THE ENTIRE MEETING.
- (g) MEETINGS SHALL NOT TAKE PLACE IN PREMISES WHICH AT THE TIME OF THE MEETINGS ARE USED FOR THE SUPPLY OF ALCOHOL, UNLESS NO OTHER PREMISES ARE AVAILABLE FREE OF CHARGE OR AT A REASONABLE COST.
- (h) A PERSON PRESENT AT A MEETING MAY NOT PROVIDE AN ORAL REPORT OR ORAL COMMENTARY ABOUT A MEETING AS IT TAKES PLACE WITHOUT PERMISSION.
- (i) DISPENSATION REQUESTS SHALL BE IN WRITING OR CAN BE MADE VERBALLY TO THE CHAIRMAN OR THE TOWN CLERK AT THE TIME OF THE MEETING OF THE COUNCIL OR COMMITTEE AS A PART OF THE AGENDA ITEM 2.

Adopted by Town Council 8th March 2022.
To be reviewed in Council Year 2022-2023.

- (j) A DISPENSATION MAY BE GRANTED IN ACCORDANCE WITH STANDING ORDERS IF HAVING REGARD TO ALL RELEVANT CIRCUMSTANCES ANY OF THE FOLLOWING APPLY:
- i. WITHOUT THE DISPENSATION THE NUMBER OF PERSONS PROHIBITED FROM PARTICIPATING IN THE PARTICULAR BUSINESS WOULD BE SO GREAT A PROPORTION OF THE MEETING TRANSACTING THE BUSINESS AS TO IMPEDE THE TRANSACTION OF THE BUSINESS
 - ii. GRANTING THE DISPENSATION IS IN THE INTERESTS OF PERSONS LIVING IN THE COUNCIL'S AREA
 - iii. IT IS OTHERWISE APPROPRIATE TO GRANT A DISPENSATION.

2. EXTRAORDINARY MEETINGS

- (a) THE CHAIRMAN OF THE COUNCIL MAY CONVENE AN EXTRAORDINARY MEETING OF THE COUNCIL AT ANY TIME.
- (b) IF THE CHAIRMAN OF THE COUNCIL DOES NOT OR REFUSES TO CALL AN EXTRAORDINARY MEETING OF THE COUNCIL WITHIN 7 DAYS OF HAVING BEEN REQUESTED TO DO SO BY TWO COUNCILLORS, THOSE TWO COUNCILLORS MAY CONVENE AN EXTRAORDINARY MEETING OF THE COUNCIL. THE STATUTORY PUBLIC NOTICE GIVING THE TIME, VENUE AND AGENDA FOR SUCH A MEETING MUST BE SIGNED BY THE TWO COUNCILLORS

3. STATUTORY ANNUAL TOWN COUNCIL MEETING SHALL BE HELD

- (a) IN AN ELECTION YEAR WITHIN 14 DAYS FOLLOWING THE DAY ON WHICH THE NEW COUNCILLORS ELECTED TAKE OFFICE.
- (b) IN A YEAR WHICH IS NOT AN ELECTION YEAR THE MEETING SHALL BE HELD ON THE NEAREST TUESDAY TO THE TWENTIETH DAY OF MAY.
- (c) IN AN ELECTION YEAR, DELIVERY BY THE CHAIRMAN OF THE COUNCIL AND COUNCILLORS OF THEIR ACCEPTANCE OF OFFICE FORMS UNLESS THE COUNCIL RESOLVES FOR THIS TO BE DONE AT A LATER DATE. IN A YEAR WHICH IS NOT AN ELECTION YEAR, DELIVERY BY THE CHAIRMAN OF THE COUNCIL OF HIS ACCEPTANCE OF OFFICE FORM UNLESS THE COUNCIL RESOLVES FOR THIS TO BE DONE AT A LATER DATE.

4. TOWN MAYOR

- (a) The Town Mayor shall remain in office until the new Town Mayor has been elected at the next Annual Town Council Meeting. The Deputy Mayor shall be elected as Town Mayor, unless he/she fails to be re-elected to the Town Council.
- (b) References throughout these Standing Orders for the Chairman may be construed as reference to the Town Mayor.
- (c) THE CHAIRMAN, IF PRESENT, SHALL PRESIDE AT A MEETING. IF THE CHAIRMAN IS ABSENT FROM A MEETING, THE VICE-CHAIRMAN, IF PRESENT, SHALL PRESIDE. IF BOTH THE CHAIRMAN AND THE VICE-CHAIRMAN ARE ABSENT FROM A MEETING, A COUNCILLOR AS CHOSEN BY THE COUNCILLORS PRESENT AT THE MEETING SHALL PRESIDE AT THE MEETING. HE MAY EXERCISE AN ORIGINAL VOTE IN RESPECT OF THE ELECTION OF THE NEW CHAIRMAN OF THE COUNCIL AND SHALL GIVE A CASTING VOTE IN THE CASE OF AN EQUALITY OF VOTES.
- (d) SUBJECT TO STANDING ORDERS WHICH INDICATE OTHERWISE, ANYTHING AUTHORISED OR REQUIRED TO BE DONE BY, TO OR BEFORE THE CHAIRMAN OF THE COUNCIL MAY IN HIS ABSENCE BE DONE BY, TO OR BEFORE

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THE VICE-CHAIRMAN OF THE COUNCIL (IF THERE IS ONE)

5. PROPER OFFICER

- (a) Where a statute, regulation or order confers functions or duties on the proper officer of the Council it shall be the Clerk or nominated officer.
- (b) THE COUNCIL'S PROPER OFFICER SHALL SIGN AND SERVE ON COUNCILLORS BY DELIVERY OR POST AT THEIR RESIDENCES A SUMMONS CONFIRMING THE TIME, DATE, VENUE AND THE AGENDA OF A MEETING OF THE COUNCIL AND A MEETING OF A COMMITTEE AT LEAST 3 CLEAR DAYS BEFORE THE MEETING.
- (c) PROVIDE, IN A CONSPICUOUS PLACE, PUBLIC NOTICE OF THE TIME, PLACE AND AGENDA (PROVIDED THAT THE PUBLIC NOTICE WITH AGENDA OF AN EXTRAORDINARY MEETING OF THE COUNCIL CONVENED BY COUNCILLORS IS SIGNED BY THEM)
- (d) CONVENE A MEETING OF THE COUNCIL FOR THE ELECTION OF A NEW CHAIRMAN OF THE COUNCIL, OCCASIONED BY A CASUAL VACANCY IN HIS OFFICE.
- (e) FACILITATE INSPECTION OF THE MINUTE BOOK BY LOCAL GOVERNMENT ELECTORS
- (f) RECEIVE AND RETAIN COPIES OF BYELAWS MADE BY OTHER LOCAL AUTHORITIES

6. QUORUM

- (a) NO BUSINESS SHALL BE TRANSACTED AT A MEETING OF THE TOWN COUNCIL UNLESS AT LEAST ONE-THIRD OF THE WHOLE NUMBER OF MEMBERS OF THE COUNCIL ARE PRESENT AT THE MEETING AND THE QUORUM MUST NOT BE LESS THAN THREE.
- (b) If a quorum, not counting those debarred by reason of a disclosed pecuniary interest, is not present, or if during a meeting the number of Councillors falls below the required quorum, the meeting shall be adjourned, and any outstanding business shall be transacted at the next meeting or on such other day as the Chairman may arrange.

7. VOTING

- (a) Members shall vote by a show of hands and all agenda items at a meeting shall be decided by a majority of the Councillors present and voting thereon (subject to Standing Order 6a above).
- (b) If before a vote is taken on any matter a member so requires, the Clerk shall record the names of the members who voted on any question so as to show whether they voted for, against or abstained.
- (c) Subject to (i) and (ii) below, the Chairman may give an original vote on any matter put to the vote and in the case of an equality of votes may give a casting vote even though he/she gave no original vote.
 - (i) If the person presiding at the Annual Town Council Meeting would have ceased to be a member of the Council but for provisions which preserve the term of office of the Chairman, he may not give an original vote in an election for Chairman.
 - (ii) The person presiding must give a casting vote in here is an equality of votes in an election of Chairman.
 - (iii) The Chairman's declaration, subject to any verification, as to the result of the vote on any matter shall be conclusive.

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(d) At each Annual Town Council Meeting the first business shall be:

- (i) TO ELECT A TOWN MAYOR
- (ii) TO RECEIVE THE TOWN MAYOR'S DECLARATION OF ACCEPTANCE OF OFFICE, OR IF NOT RECEIVED, TO DECIDE WHEN IT SHALL BE RECEIVED.
- (iii) TO ELECT A DEPUTY TOWN MAYOR.
- (iv) TO RECEIVE THE DEPUTY TOWN MAYOR'S DECLARATION OF ACCEPTANCE OF OFFICER, OR IF NOT RECEIVED, TO DECIDE WHEN IT SHALL BE RECEIVED.
- (v) To appoint representatives to outside bodies.
- (vi) To appoint dates and times of Council meetings and Committee meetings in accordance with Standing Order No.1(a); and shall thereafter follow the order set out in Standing Order No.7g.
- (viii) In a year of elections, if a Council's period of eligibility to exercise the general power of competence expired the day before the annual meeting, to review and plan to reaffirm eligibility.

(e) AT EVERY MEETING OTHER THAN THE ANNUAL TOWN COUNCIL MEETING THE FIRST BUSINESS SHALL BE TO APPOINT A CHAIRMAN IF THE TOWN MAYOR AND DEPUTY TOWN MAYOR ARE ABSENT.

(f) 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 STATORY LIMITATIONS OR RESTRICTIONS UNDER THE CODE ON HIS RIGHT TO PARTICIPATE AND VOTE ON THAT MATTER.

TOWN MAYOR AND DEPUTY TOWN MAYOR ARE ABSENT

(g) After the first business has been completed, the order of business, unless the Council otherwise decides on the grounds of urgency, shall be as follows:

- (i) To read and consider the Minutes; provided that if a copy has been circulated to each member not later than the day of issue of the summons to attend the meeting, the Minutes may be taken as read.
- (ii) AFTER CONSIDERATION, TO APPROVE THE SIGNATURE OF THE MINUTES BY THE PRESIDING CHAIRMAN AS A CORRECT RECORD.
- (iii) TO DEAL WITH BUSINESS EXPRESSLY REQUIRED BY STATUTE TO BE COMPLETED.
- (iv) To dispose of business, if any, remaining from the previous meeting.
- (v) To receive and consider reports and minutes of committees and working parties.
- (vi) To receive and consider reports from members of the public.
- (vii) To receive and consider reports from officers of the Council.
- (viii) To authorize the sealing of documents.
- (ix) To authorize the signing of orders for payment.
- (x) Any other business specified in the summons.
- (xi) To consider notices of motion.
- (xii) To receive County, District and Town Councillors reports. County Councillor's attendance to be recorded at this section.
- (xiii) Reports should be submitted in written format, with oral reports restricted to matters of urgency or where an aspect of a written report needs highlighting.

(h) A motion to vary the order of business on the grounds of urgency,

- (i) May be proposed by the Chairman or by any members and, if proposed by the Chairman, may be put to the vote without being seconded and,
- (ii) Shall be put to the vote without discussion.

8. RESOLUTIONS MOVED ON NOTICE

- (a) Except as provided by these Standing Orders, no resolution may be moved unless the business to which it relates has been put on the agenda by the Clerk or the mover has given notice in writing, clearly stating the exact wording of the motion. This should be delivered or e-mailed, (subject to confirmation by the Clerk of origin) to the Clerk, no later than 12 noon on the Monday prior to delivery of Agenda on the Wednesday giving three clear days' notice before the next meeting of the Council.
- (b) Members should provide adequate information or background on items put forward for inclusion on the agenda.
- (c) The Clerk shall insert in the summons for every meeting all notices of motion properly given in order in which they have been received unless the member giving notice of motion has stated in writing that he intends to move at some later meeting or that he withdraws it.
- (d) If a notice of motion specified in the summons be not moved, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.
- (e) If the subject matter of a notice of motion comes within the province of a committee or working party of the Council, it shall, upon being moved and seconded stand referred without discussion or to such other Committee / working party as the Council may determine for report; allow it to be dealt with at the meeting at which it was moved.
- (f) Every notice of motion shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the council's area or its residents.

9. RESOLUTIONS MOVED WITHOUT NOTICE.

- (a) Resolutions dealing with the following matters may be moved without notice:
- (b) To appoint a chairman of the meeting
- (c) To approve the absence of Councillors
- (d) To correct the minutes
- (e) To approve the minutes
- (f) To alter the order of business
- (g) To proceed to the next business
- (h) To close or adjourn the debate
- (i) To refer a matter to a committee or working party
- (j) To appoint a committee or working party or any members thereof
- (k) To adopt a report
- (l) To authorize the sealing of documents
- (m) To amend a motion
- (n) To give leave to withdraw a motion or an amendment
- (o) To extend the time limit for speeches
- (p) To exclude the press and public for all or part of a meeting
- (q) To either silence or eject from the meeting a Councillor or member of the public named for misconduct
- (r) To give consent of the Council where such consent is required by these Standing Orders
- (s) To suspend Standing Orders except those which are mandatory by law

10. RULES OF DEBATE

- (a) No discussion shall take place upon the minutes except upon their accuracy. Corrections to the minutes shall be made by resolution and corrections, must be initialled by the Chairman.
- (b) Resolution 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/her before it is further discussed or put to the meeting. A seconder of a resolution or amendment may, if he/she signals his/her intention to do so, reserve his/her speech until a later period in the debate.
- (c) A member shall direct his speech to the question under discussion or to a personal explanation or to a question of order.
- (d) No speech shall exceed two minutes, except by consent of the Council.
- (e) An amendment shall be either:
 - (i) To leave out words
 - (ii) Leave out words and insert or add others
 - (iii) To insert or add words
- (f) An amendment shall not have the effect of negating the motion before the Council.
- (g) If an amendment be carried, the resolution, as amended, shall take the place of the original resolution, and shall become the resolution upon which any further amendment may be moved.
- (h) A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
- (i) The mover of a resolution or of an amendment shall have a right of reply not exceeding 2 minutes.
- (j) A member, other than the mover of a resolution shall not, without leave of the Council, speak more than once on any resolution except to move an amendment or further amendment, or on an amendment, or on a point of order, or in personal explanation, or to move to close.
- (k) A member may rise to make a point of order or a personal explanation. A personal explanation shall be confined to some material part of a former speech by him/her which may have been misunderstood. A member rising for these purposes shall be heard forthwith. A point of order must relate to procedure not the substance of a matter under discussion.
- (l) A motion or amendment may be withdrawn by the proposer with the unanimous 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.
- (m) When a resolution is under debate no other resolution shall be moved except the following:
 - (i) To amend the resolution
 - (ii) To proceed to the next business
 - (iii) To adjourn the debate
 - (iv) To put the resolution to a vote
 - (v) To ask a member to be silent or for him to leave the meeting
 - (vi) That the resolution be referred to a committee or working party
 - (vii) To exclude the public and press

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(viii) To adjourn the meeting

- (n) A member shall raise his hand when requesting to speak and stand when speaking unless permitted by the Chairman to sit on account of infirmity.
- (o) The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed.
- (p) Members shall address the Chairman.
- (q) If two or more members rise, the Chairman shall call upon one of them to speak and the others shall resume their seats.
- (r) Whenever the Chairman rises during a debate all other members shall be seated and the Council shall be silent.

11. CLOSURE

- (a) At the end of any speech a member may, without comment, move "that the question now be put", "that the debate be now adjourned" or "that the Council do now adjourn". If such motion is seconded and if the Chairman is of the opinion that the question before the Council has been sufficiently debated (but not otherwise), he/she shall forthwith put the motion. If the motion "that the resolution be put to a vote" is carried, he/she call upon the mover to exercise or waive his/her right of reply and shall put the question immediately after that right has been exercised or waived. The adjournment of a debate or of the Council shall not prejudice the mover's right of reply at the resumption.

12. DISORDERLY CONDUCT

- (a) All members must observe the Code of Conduct which was adopted by the Council 10 July 2012.
- (b) No member shall at a meeting persistently disregard the ruling of the Chairman, wilfully obstruct business, or behave irregularly, offensively, improperly, or 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 Order, the Chairman shall express that opinion to the Council. Thereafter any member may move that the member named be no longer heard, or that member named do leave the meeting, and the motion, if seconded, shall be put forth with and without discussion. 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 in accordance with the Town Council's Guidance on the Resolution of Member Disputes.
- (d) If either of the motions mentioned in paragraph (c) is disobeyed, the Chairman may adjourn the meeting or take such further steps as may reasonably be necessary to enforce them.

13. RIGHT OF REPLY

- (a) The mover of a resolution shall have a right to reply immediately before the resolution is put to the vote. If an amendment is proposed the mover of the amendment shall be entitled to reply immediately before the amendment is put to the vote. A member exercising a right of reply shall not introduce new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

14. RESCISSION OF PREVIOUS RESOLUTION

Adopted by Town Council 8th March 2022.
To be reviewed in Council Year 2022-2023.

- (a) A decision (whether affirmative or negative) of the Council shall not be reversed within six months save by a special resolution, the written notice whereof having been issued three clear working days in advance of the meeting and bears the names of at least five members of the Council.
- (b) When a special resolution has been disposed of, no similar resolution may be moved within a further six months.
- (c) This Order shall not apply to rescinding resolutions moved pursuant of the report or recommendations of a Committee.

15. VOTING ON APPOINTMENT

- (a) 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. A fresh vote is then taken, and so on until a majority of votes is given in favour of one person. Any tie may be settled by the Chairman's casting vote.
- (b) Voting on appointment will be undertaken by a secret ballot. When voting on appointments nominated members will vacate the chamber.

16. DISCUSSION AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL

- (a) 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 the public, Clerk, or employee, shall be excluded.

17. SEALING OF DOCUMENTS

- (a) A document shall not be sealed on behalf of the Council unless its sealing has been authorized by a resolution.
- (b) In accordance with a resolution made under Standing Order 17(a) above, the Council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of two members of the Council who shall sign the deed as witnesses.

18. COMMITTEES AND SUB-COMMITTEES

- (a) The Council shall appoint Committees at the full Council meeting following the Annual Town Council meeting and may at any other time appoint Committees as are necessary, but subject to any statutory provision in that behalf:
 - (i) shall not appoint any member of a Committee to hold office later than the next full Council meeting following the Annual Town Council Meeting, and
 - (ii) subject to the provision of Order 18a above at any time dissolve or alter the membership of a committee, unless Standing Order 18h is applicable.
 - (iii) every Councillor shall receive a copy of the agenda of every Committee meeting, except where a grievance is under investigation, when papers will be restricted to the relevant committee only, as set out in the grievance procedure.
- (b) Every Committee shall at its first meeting before proceeding to any other business, elect a Chairman, and may elect a Vice-Chairman, who shall hold office until the full Council meeting following the next Annual Town Council meeting. Chairman of Committees should not be elected for more than two consecutive years in any four-year term of the Council, unless in exceptional circumstances.

- (c) Committees will have no delegated powers except where the full council has approved a scheme of delegation:
- (i) The Staffing Committee was granted delegated powers in April 2010 to organize the process for interviewing and recruitment in the case of like-for-like staff vacancies, and for appointment subject to ratification by full Council.

In the case of suggested major alterations to contracts, the Staffing Committee will need to make recommendations to full Council prior to commencing the recruitment process.

- (ii) The Planning and Grants Committee was reintroduced in August 2006. This Committee has delegated power to submit comments on planning applications only to ensure that the appropriate timescales are met. In the case of any grant applications that are considered, the Committee makes recommendations to full Council.
- (d) THE MEMBERS OF A COMMITTEE MAY INCLUDE NON-COUNCILLORS UNLESS IT IS A COMMITTEE WHICH REGULATES AND CONTROLS THE FINANCES OF THE COUNCIL.
- (e) UNLESS THE COUNCIL DETERMINES OTHERWISE, ALL THE MEMBERS OF AN ADVISORY COMMITTEE AND A SUB-COMMITTEE OF THE ADVISORY COMMITTEE MAY BE NON-COUNCILLORS.
- (f) The Chairman of a Committee or the Chairman of the Council may summon a special meeting of that Committee at any time. A special meeting shall also be summoned on requisition in writing of not less than a quarter of the members of the Committee. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.
- (g) NO BUSINESS SHALL BE TRANSACTED AT A COMMITTEE MEETING OF THE TOWN COUNCIL UNLESS AT LEAST ONE-THIRD OF THE WHOLE NUMBER OF MEMBERS OF THE COMMITTEE ARE PRESENT AT THE MEETING AND THE QUORUM MUST NOT BE LESS THAN THREE.
- (h) If in advance of a committee meeting it is known that the quorum will not be met, one or more Town Councillors may be approved in this instance to serve on the Committee as substitute member(s) in order to ensure that the meeting does not fall below quorum.
- (d) The Standing Orders on rules of debate (except those parts relating to standing and to speaking more than once) and the Standing Orders on interests of members in contracts and other matters shall apply to Committee and sub-committee meetings insofar as they are appropriate.
- (e) Members of Committees shall vote by a show of hands.
- (f) THE CHAIRMAN OF A COMMITTEE SHALL HAVE A SECOND OR CASTING VOTE.

**19. PRESENCE OF NON-MEMBERS OF COMMITTEES AT COMMITTEE MEETINGS AND WORKING PARTIES
(Note Working Parties are not public meetings)**

- (a) A member who has proposed a motion, which has been referred to any Committee of which he/she is not a member, may explain his motion to the Committee but shall not vote.
- (b) Any Council member shall, unless the Council otherwise orders, be entitled to make an initial statement and any further participation is at the discretion of the Chairman, but not able to vote.

- (c) The Town Council will appoint councillor members of a working party. Working Parties will be given a clear

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and limited remit of the work to be undertaken. Working Parties will have no delegated powers and recommendations will be made to full council. Working Parties may co-opt specialist advisers to assist them.

20. ACCOUNTS

- (a) Orders for payment of money shall be authorized by resolution of the Council and signed by the Responsible Financial Officer and any two members.
- (b) Any expenditure incurred by the Council shall be in accordance with the Council's financial regulations.
- (c) Except as provided in paragraph (d) of this Standing Order or by Statute, all accounts for payment and claims upon the Council shall be laid before the Council. Two members (selected in rotation) shall attend before each ordinary meeting and at the end of the month to examine the accounts submitted for payment since the previous meeting.
- (d) Where it is necessary to make a payment before it has been authorized by the Council, such payment shall be certified as to its correctness and urgency by the appropriate officer. Unless it has been otherwise authorized by the Council, payment shall be authorized by the Committee, if any having charge of the business to which it relates or by the Chairman or Vice Chairman of the Council.

21. RESOLUTIONS OF EXPENDITURE

- (a) Any motion which, if carried, would, in the opinion of the Chairman, substantially increase expenditure upon any service or reduce the revenue at the disposal of any Committee, or which would involve substantial capital expenditure, shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council. Any Committee affected by it shall consider whether it desires to report thereon.

22. ESTIMATES

- (a) "A Pre-Budget meeting of the Administration, Finance and Development Committee will be held to consider all aspects of the next year's estimated expenditure and income and potential moving of reserves to give a first indication of the overall budget. Any Committee or Working Party desiring to incur expenditure to be defrayed out of the Precept shall provide a written estimate of the expenditure recommended to the Administration, Finance & Development Committee for the coming year.

Any estimates made at the Administration, Finance and Development Committee Pre- Budget meeting will be provisional and will be finalised by resolution after further discussion and reflection at a Council meeting. The budget and precept will be agreed by resolution of the Council once the council tax base rate has been received and adjustments to the Councils reserves agreed.

23. INTERESTS

- (a) If a member has a disclosable non-pecuniary interest as defined by the Code of Conduct adopted by the Council 10 July 2012, then he/she shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required. The member may remain in the meeting, speak, and vote on the matter unless to do so would compromise their impartiality obligations or any other obligations set out in the Code of Conduct.
- (b) If a member discloses a pecuniary interest, they must withdraw from the room or chamber during consideration of the item to which the interest relates. Members with pecuniary interests can make representation, give evidence and answer questions in relation to the specific agenda item but must do so under the 'comments from the public' section and withdraw from the meeting when the agenda item is discussed.

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(c) AN INTEREST ARISING FROM THE CODE OF CONDUCT ADOPTED BY THE COUNCIL, THE EXISTENCE AND NATURE OF WHICH IS REQUIRED TO BE DISCLOSED BY A COUNCILLOR AT A MEETING SHALL BE RECORDED IN THE MINUTES.

(d) THE CLERK IS REQUIRED TO COMPILE AND HOLD A REGISTER OF MEMBERS' INTERESTS IN ACCORDANCE WITH AGREEMENT REACHED WITH THE MONITORING OFFICER OF THE RESPONSIBLE AUTHORITY AND/OR REQUIRED BY STATUTE.

24. APPOINTMENTS UNDER THE COUNCIL

(a) If a candidate for any appointment under the Council is to their knowledge related to any member of or the holder of any office under the Council, they and the person to whom they are related shall disclose the relationship in writing to the Clerk. A candidate who fails to do so shall be disqualified for such appointment, and, if appointed, may be dismissed without notice.

(b) The Clerk shall report to the Council, or to the appropriate Committee, any such disclosure. Where a relationship is disclosed, Standing Orders 23 (a) and (b) on interests shall apply as appropriate. The Clerk shall make known the purport of this Standing Order to every candidate.

(i) Canvassing of any member of any Committee, directly or indirectly, for appointment under the Council shall disqualify the candidate for such appointment.

The Clerk shall make known the purport of this sub-paragraph of this Standing Order to every candidate.

(ii) A member of the Council shall not solicit for any person any appointment under the Council or recommend any person for such appointment or promotion; but, nevertheless, a member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.

(iii) Standing orders Nos. 24b (i) and (ii) shall apply to tenders as if the person making the tender were a candidate for an appointment.

25. INSPECTION OF DOCUMENTS

(a) A member may for the purpose of his/her duty as such (but not otherwise), inspect any document in possession of the Council or a Committee, and if copies are available shall, on request, be supplied for the like purpose with a copy.

(b) If the Councillor's motive for seeing the documents or obtaining information is indirect, improper, or ulterior, then the documentation or information should be withheld by the Clerk.

(c) ALL MINUTES KEPT BY THE COUNCIL AND BY ANY COMMITTEE SHALL BE OPEN FOR THE INSPECTION OF ANY MEMBER OF THE COUNCIL.

(d) THE MINUTES OF THE COUNCIL SHALL BE OPEN TO INSPECTION BY ANY LOCAL GOVERNMENT ELECTOR OF THE TOWN WITHOUT CHARGE.

(e) The Council's Proper Officer shall process all requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council's procedures relating to the same.

26. UNAUTHORISED ACTIVITIES

Adopted by Town Council 8th March 2022.
To be reviewed in Council Year 2022-2023.

- (a) Unless specifically authorized by the full Town Council, the Mayor or Deputy Mayor, no member of the Council or of any Committee or sub-committee shall in the name of, or on behalf of, the Council.
 - (i) issue orders respecting any works which are carried out by, or on behalf of, the Council.
 - (ii) give instructions to any employee or official of the Council unless authorized to do so by the Council.

27. ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

- (a) 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.
- (b) THE PRESS SHALL BE PROVIDED THE REASONABLE FACILITIES FOR THE TAKING OF THEIR REPORT OF ALL OR PART OF A MEETING AT WHICH THEY ARE ENTITLED TO BE PRESENT.
- (c) If a member of the public interrupts the proceedings of any meeting, the Chairman may, after warning, order that he/she is removed from the Council Chamber or that part of the Chamber open to the public be cleared.
- (d) Subject to Standing Order 27a, members of the public are invited to make comments at the relevant section of council meetings.

28. CONFIDENTIAL BUSINESS

- (a) No member of Staff, contractors, the Council or of any Committee or sub-committee shall disclose to any person not a member of the council any business declared to be confidential by the Council or the Committee as the case may be.
- (b) Where the Staffing Committee is dealing with a grievance or disciplinary matter, the details will be kept in confidence to those members only.
- (c) SUBJECT TO STANDING ORDER, A PERSON WHO ATTENDS A MEETING IS PERMITTED TO REPORT ON THE MEETING WHILST THE MEETING IS OPEN TO THE PUBLIC. TO "REPORT" MEANS TO FILM, PHOTOGRAPH, MAKE AN AUDIO RECORDING OF MEETING PROCEEDINGS, USE ANY OTHER MEANS FOR ENABLING PERSONS NOT PRESENT TO SEE OR HEAR THE MEETING AS IT TAKES PLACE OR LATER OR TO REPORT OR TO PROVIDE ORAL OR WRITTEN COMMENTARY ABOUT THE MEETINGS SO THAT THE REPORT OR COMMENTARY IS AVAILABLE AS THE MEETING TAKES PLACE OR LATER TO PERSONS NOT PRESENT.

29. LIAISON WITH COUNTY AND DISTRICT COUNCILLORS

- (a) A notice of a meeting shall be sent together with an invitation to attend to the County Councillor for the division and to the District Councillor for the wards within the town.

30. PLANNING APPLICATIONS

- (a) The Clerk shall ensure that a record of the following particulars of every planning application be kept, and the Council notified:
 - (i) the date on which it was received
 - (ii) the name of the applicant

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- (iii) the place to which it relates
- (iv) a summary of the nature of the application

- (b) Planning Committee meetings to take place on the dates agreed at the Annual Town Council Meeting, and with the relevant agenda and planning application details being circulated to members three clear days in advance of the meeting.
- (c) Members must advise the Clerk of any application they consider will be controversial.
- (d) Any development that consists of, or is greater than ten dwellings, should be classed as significant development and will trigger a Town Council request for active involvement within the Section 106 Planning Obligation process with the principal authorities.

31. STANDING ORDERS ON CONTRACTS

- (a) The Town Council's Financial Regulations point 11 and 12, which are reviewed on an annual basis, should be complied with for all contracts.
- (b) If a member has a non-pecuniary interest as defined by the Code of Conduct adopted by the Council 10 July 2012, then they shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required.
- (c) If a member discloses a pecuniary interest, they must withdraw from the room or chamber during consideration of the item to which the interest relates, in accordance with Standing Order 23(b).
- (d) A PUBLIC CONTRACT REGULATED BY THE PUBLIC CONTRACTS REGULATIONS 2015 WITH AN ESTIMATED VALUE IN EXCESS OF £25,000 BUT LESS THAN THE RELEVANT THRESHOLDS IN STANDING ORDER 31E IS SUBJECT TO REGULATIONS 109-114 OF THE PUBLIC CONTRACTS REGULATIONS 2015 WHICH INCLUDE A REQUIREMENT OF THE COUNCIL TO ADVERTISE THE CONTRACT OPPORTUNITY ON THE CONTRACTS FINDER WEBSITE REGARDLESS OF WHAT OTHER MEANS IT USES TO ADVERTISE THE OPPORTUNITY UNLESS IT PROPOSES TO USE AN EXSITING LIST OF APPROVED SUPPLIERS (FRAMEWORK AGREEMENT).
- (e) A PUBLIC CONTRACT REGULATED BY THE PUBLIC CONTRACTS REGULATIONS 2015 WITH AN ESTIMATED VALUE IN EXCESS OF £189,330 FOR A PUBLIC SERVICE OR SUPPLY CONTRACT OR IN EXCESS OF £4,733,252 FOR A PUBLIC WORKS CONTRACT; OR £663,540 FOR A SOCIAL AND OTHER SPECIFIC SERVICES CONTRACT (OR OTHER THRESHOLDS DETERMINED BY THE EUROPEAN COMMISSION EVERY 2 YEARS AND PUBLISHED IN THE OFFICAL JOURNAL OF THE EUROPEAN UNION (OJEU)) SHALL COMPLY WITH THE RELEVANT PROCUREMENT PROCEDURES AND OTHER REQUIREMENTS IN THE PUBLIC CONTRACTS REGULATIONS 2015 WHICH INCLUDE ADVERTISING THE CONTRACT OPPORTUNITY ON THE CONTRACTS FINDER WEBSITE AND IN OJEU.
- (f) A PUBLIC CONTRACT IN CONNECTION WITH THE SUPPLY OF GAS, HEAT, ELECTRICITY, DRINKING WATER, TRANSPORT SERVICES, OR POSTAL SERVICES TO THE PUBLIC; OR THE PROVISION OF A PORT OR AIRPORT; OR THE EXPLORATION FOR OR EXTRACTION OF GAS, OIL OR SOLID FUEL WITH AN ESTIMATED VALUE IN EXCESS OF £378,660 FOR A SUPPLY, SERVICES OR DESIGN CONTRACT; OR IN EXCESS OF £4,733,252 FOR A WORKS CONTRACT; OR £663,540 FOR A SOCIAL AND OTHER SPECIFIC SERVICES CONTRACT (OR OTHER THRESHOLDS DETERMINED BY THE EUROPEAN COMMISSION EVERY 2 YEARS AND PUBLISHED BY OJEU) SHALL COMPLY WITH THE RELEVANT PRCDUREMENT PROCEDURES AND OTHER REQUIREMENTS IN THE UTILIES CONTRACTS REGULATIONS 2016.

32. CODE OF CONDUCT ON COMPLAINTS

- (a) The Council shall deal with complaints of maladministration allegedly committed by the Council or by an officer or member in such manner as adopted by the Council except for those complaints, which should be properly
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directed to the Monitoring Officer at Harborough District Council for consideration.

- (b) UPON NOTIFICATION BY THE DISTRICT OR UNITARY 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 ACTIONS EXCLUDES DISQUALIFICATION OR SUSPENSION FROM OFFICE.

33. POWER OF GENERAL COMPETENCE

- (a) BEFORE EXERCISING THE POWER OF GENERAL COMPETENCE, A MEETING OF THE FULL COUNCIL SHALL HAVE PASSED A RESOLUTION TO CONFIRM IT HAS SATISFIED THE PRESCRIBED STATUTORY CRITERIA REQUIRED TO QUALIFY AS AN ELIGIBLE PARISH COUNCIL.
- (b) THE COUNCIL'S PERIOD OF ELIGIBILITY BEGINS ON THE DATE THAT THE RESOLUTION UNDER STANDING ORDER 33(a) ABOVE WAS MADE AND EXPIRES ON THE DAY BEFORE THE ANNUAL MEETING OF THE COUNCIL THAT TAKES PLACE IN A YEAR OF ORDINARY ELECTIONS.
- (c) AFTER THE EXPIRY OF ITS PRECEDING PERIOD OF ELIGIBILITY, THE COUNCIL CONTINUES TO BE AN ELIGIBLE COUNCIL SOLELY FOR THE PURPOSE OF COMPLETING ANY ACTIVITY UNDERTAKEN IN THE EXERCISE OF THE POWER TO PROMOTE GENERAL COMPETENCE WHICH WAS NOT COMPLETED BEFORE THE EXPIRY OF THE COUNCIL'S PRECEDING PERIOD OF ELIGIBILITY REFERRED TO IN STANDING ORDER 33(b) ABOVE.

34. VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

- (a) Any or every part of the Standing Orders, except those printed in capitals and bold type, may be suspended by resolution in relation to any specific item of business.
- (b) A resolution 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.

35. STANDING ORDERS TO BE GIVEN TO MEMBERS

- (a) A copy of these Standing Orders shall be given to each member by the Clerk upon delivery to them of the member's declaration of acceptance of office and written undertaking to observe the Code of Conduct adopted by the Council, and upon each revision.

36. MANAGEMENT OF INFORMATION

- (a) THE COUNCIL SHALL HAVE IN PLACE AND KEEP UNDER REVIEW, TECHNICAL AND ORGANISATIONAL MEASURES TO KEEP SECURE INFORMATION (INCLUDING PERSONAL DATA) WHICH IT HOLDS IN PAPER AND ELECTRONIC FORM. SUCH ARRANGEMENTS SHALL INCLUDE DECIDING WHO HAS ACCESS TO PERSONAL DATA AND ENCRYPTION OF PERSONAL DATA.
- (b) THE COUNCIL SHALL HAVE IN PLACE, AND KEEP UNDER REVIEW, POLICIES FOR THE RETENTION AND SAFE DESTRUCTION OF ALL INFORMATION (INCLUDING PERSONAL DATA) WHICH IT HOLDS IN PAPER AND ELECTRONIC FORM. THE COUNCIL'S RETENTION POLICY SHALL CONFIRM THE PERIOD FOR WHICH INFORMATION (INCLUDING PERSONAL DATA) SHALL BE RETAINED OR IF THIS IS NOT POSSIBLE THE CRITERIA USED TO DETERMINE THAT PERIOD (E.G. THE LIMITATION ACT 1980).
- (c) THE AGENDA, PAPERS THAT SUPPORT THE AGENDA AND THE MINUTES OF A MEETING SHALL NOT DISCLOSE OR OTHERWISE UNDERMINE CONFIDENTIAL INFORMATION OR PERSONAL DATA WITHOUT LEGAL JUSTIFICATION.

37. RESPONSIBILITIES TO PROVIDE INFORMATION

Adopted by Town Council 8th March 2022.
To be reviewed in Council Year 2022-2023.

- (a) IN ACCORDANCE WITH FREEDOM OF INFORMATION LEGISLATION, THE COUNCIL SHALL PUBLISH INFORMATION IN ACCORDANCE WITH ITS PUBLICATION SCHEME AND RESPOND TO REQUESTS FOR INFORMATION HELD BY THE COUNCIL.
- (b) {IF GROSS INCOME OR EXPENDITURE (WHICHEVER IS HIGHER) EXCEEDS £25,000} THE COUNCIL SHALL PUBLISH INFORMATION IN ACCORDANCE WITH THE REQUIREMENTS OF THE SMALLER AUTHORITIES (TRANSPARENCY REQUIREMENTS) (ENGLAND) REGULATIONS 2015.

OR

- (c) {IF GROSS ANNUAL INCOME OR EXPENDITURE (WHICHEVER IS HIGHER) EXCEEDS £200,000} THE COUNCIL SHALL PUBLISH INFORMATION IN ACCORDANCE WITH THE REQUIREMENTS OF THE LOCAL GOVERNMENT (TRANSPARENCY REQUIREMENTS) (ENGLAND) REGULATIONS 2015.

38. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

- (a) THE COUNCIL SHALL HAVE POLICIES AND PROCEDURES IN PLACE TO RESPOND TO AN INDIVIDUAL EXERCISING STATUTORY RIGHTS CONCERNING HIS PERSONAL DATA.
- (b) THE COUNCIL SHALL HAVE A WRITTEN POLICY IN PLACE FOR RESPONDING TO AND MANAGING A PERSONAL DATA BREACH.
- (c) THE COUNCIL SHALL KEEP A RECORD OF ALL PERSONAL DATA BREACHES COMPRISING THE FACTS RELATING TO THE PERSONAL DATA BREACH, ITS EFFECTS AND THE REMEDIALS ACTION TAKEN.
- (d) THE COUNCIL SHALL ENSURE THAT INFORMATION COMMUNICATED IN ITS PRIVACY NOTICE(S) IS IN AN EASILY ACCESSIBLE AND AVAILABLE FORM AND KEPT UP TO DATE.
- (e) THE COUNCIL SHALL MAINTAIN A WRITTEN RECORD OF ITS PROCESSING ACTIVITIES