



AMBORNE TOWN COUNCIL STANDING ORDERS

MEETINGS

1. (a) Meetings of the Council shall be held in each year on such dates and times and at such place as the Council may direct.
- (b) All mobile phones are to be switched off or in silent mode during Council meetings except by special permission of the Chairman of that meeting.

2. Filming and recording meetings

- (a) When a meeting of the Council, its committees or sub committees is open to the public, any person, if present, may:
 - i) film, photograph or make an audio recording of a meeting;
 - ii) use any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later;
 - iii) report or comment on the proceedings in writing during or after a meeting or orally report or comment after the meeting.
- (b) Oral reporting, commentary or broadcasting is not permitted during any part of a meeting of the Council, its Committees and Sub Committees.
- (c) An individual must be present and able to use their equipment in order to film, photograph or audio record a meeting. There will be no opportunity to report on any part of the meeting where the council has resolved to exclude the press and public.
- (d) Disruptive behaviour
 - i) No filming, photographing or audio recording of a meeting should be carried out in such a way as to disrupt the proceedings of the meeting.
 - ii) If person(s) disregard the request of the Chairman of the meeting to moderate or improve their behaviour, any

Councillor or the Chairman of the meeting may move that the person be instructed to cease filming, photographing or audio recording. The motion, if seconded, shall be put to the vote without discussion.

- iii) If a resolution under Standing Order 2d ii) above is ignored, the Chairman 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.

Members of the Council recording meetings are reminded of their obligations under the Council's Code of Conduct in respect of confidential matters.

- 3. 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.**
- 4. 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.**
- 5. In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council may direct.**
- 6. If no other time is fixed, the annual meeting of the Council shall take place at 6pm.**
- 7. 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. The minimum three clear days of notice of a meeting does 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.**
- 9. 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.**
- 10. No business may be transacted at a meeting unless at least one third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.**
- 11. If a meeting is or becomes 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.

- 12. The Code of Conduct adopted by the Council shall apply to Councillors and members of the public co-opted to serve on Committees and Sub Committees of the Council in respect of the entire meeting.**
- 13. All interests arising from the Code of Conduct adopted by the Council will be recorded in the minutes giving the existence and nature of the interest.**

CHAIRMAN OF THE MEETING

- 14. The person presiding at a meeting may exercise all the powers and duties of the Town Mayor in relation to the conduct of the Meeting.**

ELECTION OF MAYOR AND DEPUTY MAYOR

15. The Mayor and Deputy Mayor will be nominated at the meeting of the Full Council in the month prior to The Annual General Meeting of the Council with the exception in a Town Council election year.

PROPER OFFICER

16. Where a Statute, Regulation or Order confers functions or duties upon the Proper Officer of the Council in the following cases, shall be The Town Clerk:
 - (a) To receive Declarations of Acceptance of Office.
 - (b) To retain a copy of every Councillor's register of interests.
 - (c) To receive and retain plans and documents.
 - (d) To sign Notices and other Documents on behalf of the Council.
 - (e) To receive and retain copies of Bye-laws made by Cornwall Council.**
 - (f) To certify copies of Bye-laws made by the Council and other such orders as adopted by the Council.
 - (g) To sign Summons to attend meetings of the Council.
 - (h) To keep proper records for all meetings.
 - (i) Facilitate inspection of the minute book by local

government electors.

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

17. The Proper Officer shall:

- a) **At least three clear days before a meeting of the Council, a Committee and Sub Committee serve on Councillors, by delivery or post to their residences or by email authenticated in such a manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email) .**
- b) **Provide, in a conspicuous place, 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 Sub Committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by Councillors is signed by them);**
- c) **Convene a meeting of Full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office.**

RESPONSIBLE FINANCIAL OFFICER

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

VOTING.

19. Members shall vote by a show of hands or, if at least two Members so request, by signed ballot.
20. Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.
21. **At the request of a Councillor, the voting on any question shall be recorded so as to show whether each Councillor present and voting gave 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.**
22. (a) **Subject to (b) and (c) 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 whether or not he gave no original vote.

- (b) If the person presiding at the Annual Meeting would have ceased to be a Member of the Council but for the statutory provisions which preserve the membership of the Chairman and Vice-Chairman until the end of their term of office they may not vote in an election for Chairman.
- (c) The person presiding must give a casting vote whenever there is an equality of votes in an election for the Chairman

- 23 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 his right to participate and vote on that matter.

ORDER OF BUSINESS

(In an election year Councillors should execute Declarations of Office in each others' presence or in the presence of a Proper Officer previously authorised by The Council to take such Declaration, before the Annual Meeting commences.)

- 24. **The first business conducted at the Annual Meeting of the Council shall be the election of the Chairman and Vice Chairman of the Council.**
- 25. **The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the Annual Meeting until his successor is elected at the next Annual Meeting of the Council.**
- 26. **The Vice Chairman of the Council, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman at the next Annual Meeting of the Council.**
- 27. **In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he shall preside at the meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of a new Chairman of the Council but must give a casting vote in the case of an equality of votes.**
- 28. **In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he shall preside at the meeting until a new Chairman of the Council**

has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and must give a casting vote in the case of an equality of votes.

29. The Mayor shall not hold office for more than two consecutive years.
30. Following the election of the Chairman of the Council and Vice Chairman of the Council at the Annual Meeting, the business of the Annual Meeting shall include:
 - (a) **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;**
 - (b) **In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.**
 - (c) To decide when any declarations of acceptance of office and written undertakings to observe the code of conduct adopted by the Council which have not been received as provided by law, shall be received.
 - (d) To appoint the previously nominated Councillor for the office of Deputy Mayor, or in the case of an election year to elect a Deputy Mayor.
 - (e) To appoint statutory or standing committees.
 - (f) To consider the payment of any subscriptions falling to be paid annually.
 - (g) If required to inspect any deeds and trust instruments in the custody of the Council; and shall thereafter follow the order set out in Standing Order 17.
31. At every meeting other than the Annual 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 undertaking 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.
32. In every year not later than the meeting at which the precept for next year has been settled, the Council shall review the pay and conditions of service of existing employees. (See standing Order 62 below)

33. After the first business has been completed, the order of business, unless the Council otherwise decide on the grounds of urgency, shall be as follows:
- (a) Apologies for absence shall be given to include reasons for absence; those reasons shall be recorded but not included in minutes published.
 - (b) Members to declare disclosable pecuniary interests and non-registerable interests (including the details thereof) in respect of any item on the agenda including gifts of hospitality exceeding £25.
 - (c) To receive such communications as the presiding Chairman may wish to lay before the Council.
 - (d) Subject to Standing Order 103 members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included in the agenda, up to a maximum of fifteen minutes.
 - (e) To read and consider the Minutes:
 - (f) **After consideration, to confirm the accuracy and approve the signature of the Minutes by the presiding Chairman as a correct record.**
 - (g) To receive and consider reports and Minutes of committees and advisory committees
 - (h) To receive reports from outside bodies as approved by the Chairman
 - (i) Any item arising from the Minutes may be discussed without a resolution.
 - (j) **To deal with business expressly required by Statute to be done.**
 - (k) To answer questions from Councillors.
 - (l) To dispose of business, if any, remaining from the last meeting.
 - (m) To receive and consider Reports from Officers of the Council.
 - (n) To authorise the sealing of documents.
 - (o) To authorise the signing of Orders for payment.
 - (p) To consider motions or recommendations in the order in which they have been notified.

- (q) Any other business notified in the Summons.
34. A motion to vary the Order of Business.
- (a) may be proposed by the Chairman or by any other 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.

RESOLUTIONS

35. a. Except as provided by the Standing Orders, no additional agenda items may be added 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 six clear days before the next meeting of the Council.
- b. Instructions for motions that require written notice are given at Appendix 4 to these Standing Orders.
36. The Town Clerk shall date every Notice of Motion or Recommendation when received by him/her, shall number each Notice in the order in which it is received and shall enter it in a record which shall be open to the inspection of every Member of the Council.
37. The Town Clerk shall insert in the Summons for every meeting all Notices of Motion or Recommendation properly given in the 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 withdraw it.
38. If a Resolution or Recommendation 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.
39. If the subject matter of a Resolution come within the province of a committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to such committee or to such other committee as the Council may determine for report provided that the Chairman, if he consider it to be a matter of Urgency, may allow it to be dealt with at the meeting at which it was moved.
40. Every Resolution or Recommendation shall be relevant to some question over which the Council has power or which affects its area.
41. A written notice of motion shall not relate to any matter which may be considered under the Council's Code of Conduct, Complaints Procedure or employment policies.

RESOLUTIONS MOVED WITHOUT NOTICE

42. The following motions may be moved at a meeting without written notice to the Proper Officer;
- (a) to appoint a a person to preside at a meeting;
 - (b) to correct an inaccuracy in the draft minutes of a meeting;
 - (c) to approve the Minutes;
 - (d) to change the order of business on the agenda;
 - (e) to proceed to the next business on the agenda;
 - (f) to close or adjourn the debate;
 - (g) to refer a matter to a particular committee or sub-committee;
- (h) to appoint a committee or sub-committee and their members ;
- (i) to adopt a Report;
 - (j) to authorise the sealing of documents;
 - (k) to amend a motion;
 - (l) to give leave to withdraw a motion or amendment;
 - (m) to extend the time limit for speaking;
 - (n) to temporarily suspend the meeting.
 - (o) to exclude the Press and Public from a meeting in respect of confidential or other information which is prejudicial to the public interest;
 - p) To not hear further from a councillor or a member of the public;
 - q) to exclude a councillor or member of the public for disorderly conduct;
 - r) to give consent of the Council where such consent is required by these Standing Orders;
 - s) to suspend a particular of Standing Order (unless it reflects mandatory or legal requirement).
 - t) To require a written report

- u) To adjourn the meeting; or
- v) To close the meeting

QUESTIONS

- 43. A member may ask the Chairman of the Council or the Town Clerk any question concerning the business of the Council provided it is not covered by an agenda item. A period of 48 clear hours' notice of the question must be given to the person to whom it is addressed before the meeting begins.
- 44. Questions not related to items of business on the agenda for a meeting shall only be asked during the part of the meeting set aside for such questions.
- 45. Every question shall be put and answered without discussion.

SMOKING

- 46. Smoking shall not be permitted within the grounds of the Town Council building.

RULES OF DEBATE

- 47. A Councillor or member of the public co-opted to serve on Council Committees and Sub Committees who has a non-registerable interest defined under 3.5A of the Council's Code of Conduct, may by invitation of the Chairman, remain in the room to address the Council to provide any information as they reasonably consider might inform the debate before leaving the room.**
- 48. The period of time for addressing the Council under Standing Order 43 shall not exceed five minutes and will be at the discretion of the Chairman.**
- 49. Corrections to the Minutes shall be made by Resolution and initialled by the Chairman.
 - (a) Minutes of meetings should be received for accuracy in the first instance.
 - (b) The minutes of the meetings being received shall be moved by the Chairman and Vice Chairman of that meeting if present.
 - (c) Only members present at the meeting in which the minutes are being received shall be entitled to vote on them.

50. (a) Motions on the agenda shall be considered in the order they appear unless the order is changed at the discretion of the chairman of the meeting.
- (b) a motion or amendment shall not be progressed unless it has been proposed and seconded.
- (c) a motion on the agenda that is not moved by its proposer may be treated by the chairman of the meeting as withdrawn.
- (d) A member when seconding a motion or amendment may, if they then declare their intention so to do, reserve their speech until a later period in the debate.
- (e) A member shall direct their speech to the question under discussion or to a personal explanation or to a question of order.
- (f) No speech shall exceed three minutes except by consent of the Council, except that the mover of the resolution whose speech shall not exceed five minutes.
- (g) An amendment shall be either:
- i) to leave out words;
 - ii) to leave out words and insert or add others;
 - iii) to insert or add others.
- (h) An amendment shall not have the effect of negating the motion before the Council.
- (i) 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.
- (j) A councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already be seconded, the amendment shall be with the consent of the seconder and the meeting.
- (k) 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.
- (l) If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chairman of the meeting.
- (m) Subject to Standing Order 50(n) only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairman of the meeting.

- (n) One or more amendments may be discussed together if the chairman of the meeting considers this expedient but each amendment shall be voted upon separately.
- (o) A councillor may not move more than one amendment to an original or substantive motion.
- (p) The mover of an amendment has no right of reply at the end of the debate on it.
- (q) Where a series of amendments to an original motion are carried, the mover of the original motion shall have the right of reply either at the end of the debate on the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
- (r) A member, other than a mover of a motion, shall not without leave of The Chairman speak more than twice on any motion except to move an amendment or further amendment or, on an amendment or point of order or in a personal explanation or to move the closure.
- (s) During the debate on 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 is concerned by.
- (t) A point of order shall be decided by the chairman of the meeting and his decision shall be final.
- (u) When a motion is under debate, no other motion shall be moved except the following:
 - i) to amend the motion;
 - ii) to proceed to next business;
 - iii) to adjourn the debate;
 - iv) to put the motion to the vote;
 - v) to ask a person to be no longer heard or to leave the meeting;
 - vi) to refer a motion to a committee or sub-committee for consideration; ;
 - vii) to exclude the press and public;
 - viii) to adjourn the meeting;
 - ix) to suspend particular standing orders (excepting those which reflect mandatory stator requirements.
- (v) Before an original or substantive motion is put to the vote, the chairman of the meeting shall be satisfied that the motion has been sufficiently debated and the mover of the motion under debate has exercised or waived his

right of reply.

51. Members and Officers shall stand when speaking unless permitted by the Chairman to sit, or on the account of infirmity.
52.
 - (a) The Ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed.
 - (b) Members shall address the Chairman.
 - (c) Members will indicate their desire to speak by a silent signal to the Chairman who may then call each speaker in turn to speak.
 - (d) Whenever the Chairman rises during a debate, all other Members shall be seated and silent.
 - (e) The Chairman should conduct the meeting impartially treating each Member equally no matter what political persuasion they hold or personal opinion they may have.
 - (f) No meeting of the Council will last longer than two hours without a resolution passed by a majority vote.

CLOSURE

53. At the end of any speech, a member may without comment move that the question now be put, that the debate now be adjourned or that the Council do now adjourn. If such a motion be seconded and if the Chairman is of the opinion that the question before the Council has been sufficiently debated (but not otherwise), they shall forthwith put the question. If the motion that the question now be put is carried, they shall call upon the mover to exercise or waive their 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.

DRAFT MINUTES

54. 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.
55. 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 42b.
56. The accuracy of draft minutes, including any amendment(s) made to them shall be confirmed by resolution and shall be signed by the chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.

57. If the chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:

“The chairman of this meeting does not believe that the minutes of the meeting of the () held on (date) in respect of () were a correct record but his view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”

58. The Council shall publish the draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.

CODE OF CONDUCT, COMPLAINTS AND DISPENSATIONS

59. (a) The Council has adopted the Cornwall Code of Conduct for City, Community, Parish and Town Councils which will apply to all councillors and members of the public co-opted to serve on Committees and sub Committees of the Council in respect of the entire meeting.

All interests arising from the Code of Conduct adopted by the Council will be recorded in the minutes giving the existence and nature of the interest

- (b) Members must have particular regard to their obligation to record and leave the room for certain matters in which they have an interest as defined by the Code of Conduct or by relevant legislation.
- (c) The Council shall maintain for public inspection, a Register of Members' interests that is compliant with the Code of Conduct and with relevant legislation.

Members and the Code of Conduct

- (d) All councillors and members of the public co-opted to serve on Council committees and sub committees shall observe the Code of Conduct adopted by the Council.
- (e) All councillors and members of the public co-opted to serve on Council committees and sub committees shall maintain a Register of Disclosable Pecuniary Interests, and must update their register by notifying the Monitoring Officer and the Clerk of any changes within 28 days.

- (f) All councillors shall undertake training in the code of conduct within 6 months of the delivery of their declaration of acceptance of office.
- (g) Unless granted a dispensation, a councillor or non-councillor with voting rights who has registered a Disclosable Pecuniary Interest in relation to any item of business being transacted at a meeting, shall leave the room whenever the item is being discussed, including any part of the meeting where the public are entitled to speak.
- (h) Unless granted a dispensation, a councillor or non-councillor with voting rights who has registered a non-registerable interest in relation to any item of business being transacted at a meeting, shall leave the room whenever the item is being discussed, including any part of the meeting where the public are entitled to speak.
- (i) Where a non-registerable interest arises from membership of an outside body as defined in 3.5a of the Council's code of conduct, a councillor may remain in the room to address the meeting, provide a short statement and answer questions for no more than three (3) minutes before leaving the room at the request of the Chairman.
- (j) All gifts and hospitality offered or received worth £25 or above must be recorded in the Register of Interests maintained by the Proper Officer of the Council.
- (k) A Member of the Council may, for the purposes of his duty as a member but not otherwise, inspect any document which has been considered by a Committee or by the Council. The Proper Officer or Solicitor to the Council may decline to allow inspection of any document which is protected by other legislation or in the event of legal proceedings would be protected by privilege arising from the relationship of solicitor and client. All Minutes kept for any Committee shall be open for the inspection of any member of the Council during office hours.

Allegations of breaches of the Code of Conduct

- (l) Notification of any complaint shall remain confidential to the Proper Officer of the Council until such time as the matter has been concluded, when the outcome of the

complaint shall be reported to a meeting of Full Council.

- (m) Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman or the Vice Chairman of that fact, who, upon receipt of such notification, shall nominate a person to assume the duties of the Proper Officer set out in this standing order, who shall continue to act in respect of that matter as such until the complaint is resolved.
- (n) Where a notification relates to a complaint made by an employee (not being the Proper Officer) the Proper Officer shall ensure that the employee in question does not deal with any aspect of the complaint
- (o) The Council may:
 - i. provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
 - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter

References to a notification shall be taken to refer to a communication of any kind which relates to a breach or an alleged breach of the code of conduct by a councillor.

- (q) Upon notification by Cornwall Council that a councillor or non-councillor with voting rights has breached the council's code of conduct, the council shall consider any recommendations and what, if any, action to take against him.

Such action excludes disqualification or suspension from office and shall be limited to those sanctions recommended by the Monitoring Officer as part of the Decision Notice.

DISPENSATIONS

- 60. (a) 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.

- (b) Consideration of written requests for dispensations shall be a standing item on all agendas of meetings of the council, its committees and sub committees.
- (c) No dispensation will be awarded for any meeting where there are no minutes of the proceedings.
- (d) A decision as to whether to grant a dispensation shall be made by a meeting of the Council, or Committee or Sub-Committee for which the dispensation is requires and that decision is final
- (e) Standing Order 60 shall apply to all meetings of the Council, its committees and sub committees.

A dispensation may be granted in accordance with with Standing Order 60(d) above if having regard to all relevant circumstances the following applies:

- 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 or
- ii. Granting the dispensation is in the interests of persons living in the council's area or
- iii. It is otherwise appropriate to grant a dispensation.

DISORDERLY CONDUCT

- 61. (a) No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairman of the meeting shall request such person(s) to moderate or improve their conduct..
- (b) If person(s) disregard the request of the Chairman of the meeting to moderate or improve their conduct, any Councillor or the Chairman 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.
- (c) If the motion mentioned in paragraph (b) is disobeyed, the Chairman may take reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting. .

CANVASSING OF AND RECOMMENDATIONS BY COUNCILLORS

62. (a) Canvassing of members of any committee, 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 subparagraph of this Standing Order to every candidate.
- (b) A member of the Council shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for 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 an appointment.
63. Standing Orders No 60 and 62 shall apply to Tenders as if the person making the Tender were a candidate for an appointment.

RESCISSION OF PREVIOUS RESOLUTION

64. (a) A decision (whether affirmative or negative) of the Council shall not be reversed within six months save by special motion, which requires written notice by at least six members of the Council to be given to the Proper Officer.
- (b) When a motion pursuant to standing order 64(a) has been disposed of, no similar resolution may be moved within a further six months.
- (c) In view of 64 (a) and 64 (b) above, any resolution in view of special circumstances may be brought back with the support of nine or more Council members.

VOTING ON APPOINTMENTS

65. When 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 Vote will be taken by a written ballot of those members present and eligible to vote. The outcome of the vote will be reported by the Clerk.

HANDLING STAFF MATTERS

66. If at a meeting there arise 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 public shall be excluded (see

Standing Order No 103).

67. Subject to the Council's policies regarding the handling of performance, capability and disciplinary matters, the Council's most senior staff member (or other member of staff) shall contact the Chairman of the Staffing Committee or in their absence the Vice Chairman of the Staffing Committee in respect of an informal or formal matter and this shall be reported back and progressed by resolution of the Staffing Committee in accordance with its terms of reference.
68. Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance and disciplinary matters.
69. In accordance with standing order the council will identify two persons with line management responsibilities who may have access to staff records

EXPENDITURE

70. Orders for the payment of money shall be authorised by resolution of the Council and signed by any two of the following:
 - i) The Mayor of Camborne.
 - ii) Deputy Mayor of Camborne.
 - iii) Chairman of the Finance and General Purposes Committee.
 - iv) Chairman of the Amenities Committee.
 - v) Chairman of the Planning and Development Committee.
 - vi) Chairman of the Staffing Committeeand countersigned by The Town Clerk.

EXECUTION AND SEALING OF LEGAL DEEDS

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

(b) Subject to standing order 71(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 councillors who shall sign the deed as witnesses.

COMMITTEES AND SUB-COMMITTEES

72. The Council may at the Annual Meeting appoint Standing Committees and may at any other time appoint such other committees as are necessary and:
- a) Shall determine their terms of reference including the scheme of delegation and the role of the Chairman and Vice Chairman as ex officio members with or without voting rights.
 - b) Shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next Annual Meeting.
 - c) Shall not appoint any member of a committee so as to hold office later than the next Annual Meeting.
 - d) May subject to the provisions of Order 72 above at any time dissolve or alter the membership of a committee.
 - (e) Each committee shall consist of up to nine Members.
 - (f) Each committee shall reflect the political balance of the Council as far as possible.
 - (g) Each member shall have equal committee work as far as possible.
 - (h) Minutes for each Committee meeting will be produced and circulated prior to the next meeting of the Full Council where the Council will receive them. Members will then have the opportunity to request that the Chairman of that Committee takes any matter back for further discussion in the light of new/additional information, however, the decision of whether to take back or not rests solely with the Chairman of that committee. The Minutes are then taken back to the next appropriate Committee meeting for approval as a true and accurate record.
 - (i) Any Committee meeting that is not held due to it being inquorate must be called again by the Chairman within 14 working days.
 - If a meeting is or becomes 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.
 1. Substitutes will not be allowed at any Committee, Sub Committee or Working Party.
73. The Mayor and Deputy Mayor ex-officio shall be voting members of every committee.

74. The following Committees shall be the Standing Committees of the Town Council and shall consist of nine members: The Planning and Development Committee; The Amenities Committee; The Finance and General Purposes Committee, the Staffing Committee which shall consist of five members.
75. Every Committee shall at its first meeting before proceeding to any other business elect a Chairman and elect a Vice-Chairman, and both may hold office until the next Annual Meeting of the Council.
76. Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.
77. The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.
78. Unless the Council determines otherwise, all members of an advisory committee and sub-committee may be non-councillors.
79. The Chairman and Vice-Chairman of the Committee shall be members of every Sub-Committee appointed by it unless they signify that they do not wish to serve. That Sub-Committee shall be appointed from members of the appointing Committee unless specialist knowledge is required by that Sub Committee.
80. Except where ordered by the Council in the case of a Committee (or by the Council or the appropriate Committee in the case of a Sub-Committee), the quorum shall be one third of the Members elected to the Committee.
81. The Standing Orders on rules of debate (except those parts relating to standing and to speaking more than twice) and the Standing Orders on interests of members in contracts and other matters shall apply to Committee and Sub-Committee meetings in so far as they are appropriate.

EXTRAORDINARY MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES

82. The Chairman of the Council may convene an extraordinary meeting of the Council at any time.
83. . If the Chairman of the Council does not 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.

84 The chairman of a committee (or sub committee) may convene an extraordinary meeting of the committee (or sub committee) at any time.

85 If the chairman of a committee (or sub committee) does not call an extraordinary meeting within seven days of being requested to do so by members of the committee (or the sub committee) any () members of the committee (or the sub committee) may convene an extraordinary meeting of the committee (or a sub committee).

Commented [AM1]: Value needs to be set

Commented [AM2]: See Standing Order 72

DELEGATED POWERS

86 The Council has approved a Scheme of Delegation for its Proper Officer/ Responsible Officer, Council, Committees and Sub Committees together with comprehensive Terms of Reference. This forms an integral part of the Council's Standing Orders and is attached to the Standing Orders as Appendix 3.

ADVISORY COMMITTEES

87 . (a) the Council may create Working Parties as necessary, whose terms of reference and members shall be determined by resolution of the parent committee as the sovereign body. Each committee may vary in number and can be drawn from such nominating bodies as are deemed appropriate.

(b) The Town Clerk shall inform the members of each advisory committee of the terms of reference of the committee.

(c) An advisory committee may make recommendations and notice thereof to the parent Committee.

(d) An advisory committee may not consist wholly of persons who are not members of the Council.

VOTING IN COMMITTEES

88 Members of Committees and Sub-Committees shall vote by a show of hands and retain the right to a recorded vote.

89 . Chairmen of Committees and Sub-Committees shall in the case of an equality of votes have a second or casting vote.

PRESENCE OF NON-MEMBERS OF COMMITTEES AT COMMITTEE MEETINGS

- 90 A Member who has proposed a motion which has been referred to any committee of which he is not a member may explain his motion to the Committee but may not vote.
- 91 . Any member shall, unless the Council otherwise orders, be entitled to be present as a spectator of the meetings of any Committee or Sub-Committee of which he is not a member and with the consent of the Chairman be allowed to speak.

ACCOUNTS AND FINANCIAL STATEMENT

- (a)
- 92 The Council has established Financial regulations for the governance and management of its finances and to meet the requirements of the audit and accountability regime in place at the time. These are attached as Appendix 2 of these Standing Orders.
- a) All payments by the council shall be authorised, approved and paid in accordance with the law, proper practices and the council's financial regulations.
- b) The Council's proper practices will be in accordance with the most recent JPAG guidance.

Commented [AM3]: See above

ESTIMATES

- 93 . Any committee desiring to incur expenditure to be defrayed out of the Council Tax shall not later than 30th November in any year give to The Town Clerk a written estimate of the expenditure recommended for the coming year and such estimate shall be submitted at its meeting in December.

RESPONSIBILITIES TO PROVIDE INFORMATION

94. **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.**
95. **The Council shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.**

RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

(Below is not an exclusive list)

See also Standing Orders regarding the Management of Information.

96 The Council may appoint a Data Protection Officer.

97 The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.

98 The Council shall have a written policy in place for responding to and managing personal data breach.

99 The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.

100 The Council shall ensure that information communicated in its privacy notices is in an easily accessible and available form and kept up to date.

101 The Council shall maintain a written record of its processing activities.

RESTRICTIONS ON COUNCILLOR ACTIVITIES

102. No member of the Council or of any committee or of any sub-committee 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, orders or directions

Or

(c) incur any expenditure on behalf of the council or issue an instruction to incur expenditure.

unless authorised so to do by the Council (or the relevant committee or sub-committee).

ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

103 **The Public and the Press shall be admitted to all meetings of The Council and its Committees** and Sub-Committees **which may however temporarily exclude** the Public and Press or both by means of the following resolution:

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

104. **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.**

105. If a member of the public interrupts the proceedings at any meeting, the Chairman may, after a warning, order that they be removed from The Council Chamber or that the part of the Chamber open to the Public be cleared.

106 **MANAGEMENT OF INFORMATION**

The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it hold in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.

107 **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 should 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).**

108 **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.**

109 **Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.**

CONFIDENTIAL BUSINESS

110 . (a) From time to time, a member or officer of the Council may declare they have information which is confidential but germane to the discussion. Upon such member or officer declaring the same, the Chairman shall be empowered to cease discussion at once to enquire whether or not the provision of Standing Order 103 be applied;

(b) No member of the Council or of any Committee or of any Sub-Committee shall disclose to any person not a member of the Council any business declared to be confidential by the Council, the Committee or Sub-Committee as the case may be.

LIAISON WITH CORNWALL COUNCILLORS

111. An invitation to attend a meeting of the council shall be sent, together with the agenda, to the ward councillors of Cornwall Council representing the area of the council.

112. Unless the Council determines otherwise, a copy of relevant correspondence sent to the unitary authority shall be sent to the divisional councillor(s) representing the area of the Council.

113. At the Chairman's discretion and with the approval of the council, a divisional member may be invited to speak during any item on the agenda to make a short statement and answer any questions.

PLANNING APPLICATIONS

114 (a) The Town Clerk shall, as soon as it is received, enter in record kept for the purpose the following particulars of every planning application notified to the Council:

- i) The date on which it is received.
- ii) The name of the applicant.
- iii) The place to which it relates.
- iv) A summary of the application.

(b) The Planning and Development Committee is authorised to reply direct to any relevant body on any matter of planning.

STANDING ORDER ON CONTRACTS

115 Where applicable as a course of good practice the Council should implement Best Value procedures.

VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

116. Any part of these Standing Orders except those printed in **bold type** may be suspended by Resolution in relation to any specific item of business.

117. A motion permanently to 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 THE MEMBERS

118. A printed copy of these Standing Orders shall be given to each Member of the Council. An up to date copy of the Charles Arnold-Baker Local Council Administration

book shall be made available for reference to any member by the Town Clerk at the Town Council Office.

POLICIES

119. All Councillors and Officers must adhere to the Council's policies.

Appendix 1

The Cornwall Code of Conduct for City, Community, Parish and town Councils adopted by Camborne Town Council on 16th October 2012

Appendix 2

Camborne Town Council Financial Regulations

Appendix 3

Camborne Town Council Scheme of Delegation

Appendix 4

Motions for a meeting that require written notice to be given to the Proper Officer