



# **MADELEY TOWN COUNCIL**

## **Standing Orders**

Adopted 2014  
Rev October 2016

## How to use standing orders

Standing Orders are the written rules of a local Council. They are used to confirm a Council's internal organisational, administrative and procurement procedures and procedural matters for meetings.

Meetings of Council, Councillors, the Responsible Finance Officer and the Proper Officer are subject to many statutory requirements. A Council should have standing orders to confirm those statutory requirements. A Council should have standing orders to control the number, place, quorum, notices and other procedures for committee and sub-committee meetings because these are subject to fewer statutory requirements.

Standing orders for the organisation and transaction of Council's business are decided by full Council. A committee or sub-committee may decide its own standing orders if its appointing body (which is the Council in the case of a committee or a committee in the case of a sub-committee) has not made standing orders which apply to them.

Standing orders in bold type should not be ignored or substantively amended unless the legislation out of which they are born changes. It is recommended that a Council adopts model standing orders in bold type in their current form because these reflect statutory requirements. If a Council wants to slightly alter the wording of the model standing orders in bold type, any such amendments must not have the effect of undermining, overriding or conflicting with statutory requirements.

Standing orders, not highlighted in bold type, do not incorporate statutory requirements. They are aimed at (i) highlighting matters that merit regulation by standing orders and (ii) encouraging use of standing orders to regulate routine administrative arrangements. They may be adapted in their current form but are more likely to require adapting or supplementing to suit a Council's particular needs. Once again, a Council is reminded not to adopt standing orders which undermine, override or conflict with any requirements imposed by legislation.

Standing orders indicate by use of '( )' that information must be inserted before being adopted.

Standing orders indicate by use of the term 'OR' that an alternative option may apply.

Standing Orders do not include financial regulations, namely a comprehensive set of model standing orders for the regulation of a Council's financial affairs and accounting procedures. Any reference in the standing orders to financial regulations is a reference to a Council's standing orders for the regulation of its financial affairs.

All references to Councillors within these Standing Orders mean elected and co-opted Councillors representing of Madeley Town Council

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# 1 Meetings

- Mandatory for full Council meetings
- Mandatory for committee meetings
- Mandatory for sub-committee meetings

- a 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.
- b 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.
- c 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.
- d Subject to standing order 1(c) above, 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 of a meeting which they are entitled to attend
- e The period of time which is designated for public participation [in accordance with standing order 1(d) above] shall not exceed 15 minutes unless directed by the Chair of the meeting
- f Subject to standing order 1(e) above, each member of the public is entitled to speak once only in respect of business itemised on the agenda and shall not speak for more than 3 minutes unless directed by the Chair of the meeting
- g In accordance with standing order 1(d) above, a question asked by a member of the public during a public participation session at a meeting shall not require a response or debate.
- h In accordance with standing order 1(g) above, the Chair may direct that a response to a question posed by a member of the public be referred to a Councillor for an oral response or to an officer for a written or oral response.
- i A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- j A person shall raise a hand when requesting to speak. The Chair may at any time permit an individual to be seated when speaking.

- k Any person speaking at a meeting shall address comments to the Chair.
- l Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chair shall direct the order of speaking.
- m **A person may not orally report or comment about a meeting as it takes place if present but otherwise may:**  
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 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
- n In accordance with standing order 1(c) above, the press shall be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.  
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- o Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chair may *in absentia* be done by, to or before the Vice-Chair.
- p The Chair, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair, if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.
- q Subject to standing order 1(y) below, all questions at a meeting shall be decided by a majority of the Councillors with voting rights present and voting thereon.  
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- r The Chair may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise a casting vote whether or not an original vote was given. (See also standing orders 2(i) and (j) below.)  
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- s Unless standing orders provide otherwise, voting on any question shall be by a show of hands. 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 a vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.
- t A member can request, after a vote is taken, that their vote is recorded in the minutes to show their vote for or against the motion or abstention from voting

- u The minutes of a meeting shall accurately record:
  - i the time and place of the meeting
  - ii the names of Councillors present and absent
  - iii interests that have been declared by Councillors (and non-Councillors with voting rights)
  - iv whether a Councillor (or non-Councillor with voting rights) left the meeting when matters of declared interest were considered
  - v if there was a session for public participation
  - vi the resolutions made
  
- v Every member of Council attending a meeting of the Council or any of its Committees will sign the Attendance Register
  
- w If prior to a meeting, a Councillor has submitted reason for absence at the meeting which is then approved by a resolution, such resolution shall be recorded in the minutes of the meeting at which the approval was given.
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- x **The code of conduct adopted by the Council shall apply to councillors in respect of the entire meeting.**
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- y **A Councillor or 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 the right to participate and vote on that matter**
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- z **An interest arising from the Council's code of conduct , the existence and nature of which is required to be disclosed by a Councillor at a meeting shall be recorded in the minutes. (See also standing orders 7 and 8 below).**
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- aa **No business may be transacted at a meeting unless at least one third of the whole number of Councillors are present and in no case shall the quorum of a meeting be less than 3.**
  
- bb **If a meeting is or becomes inquorate no business shall be** transacted and the meeting shall be adjourned. Any outstanding business of a meeting so adjourned shall be transacted at a following meeting.
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- cc Meetings shall not exceed a period of ( 3 ) hours.

## 2 Ordinary Council Meetings

*See also standing order 1 above*

- a **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.**

- b **In a year which is not an election year, the annual meeting of a Council shall be held on such day in May as the Council may direct.**
- c **If no other time is fixed, the annual meeting of the Council shall take place at 6pm.**
- d **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.**
- e **The election of the Chair of the Council and Vice-Chair of the Council shall be the first business completed at the annual meeting of the Council.**
- f **The Chair of the Council, unless through resignation or disqualification, shall continue in office and preside at the annual meeting until a successor is elected at the next annual meeting of the Council.**
- g **The Vice-Chair of the Council, if any, unless through resignation or disqualification, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.**
- h **In an election year, the current Chair of the Council if not re-elected as a Councillor for the Council, shall preside at the meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but must give a casting vote in the case of an equality of votes.**
- i **In an election year, the current Chair of the Council if re-elected as a Councillor for the Council, shall preside at the meeting until a new Chair of the Council has been elected. The current Chair of Council may exercise an original vote in respect of the election of the new Chair of the Council and must give a casting vote in the case of an equality of votes.**
- j Following the election of the Chair of the Council and Vice-Chair of the Council at the annual meeting of the Council, the order of business shall be as follows.
  - i **In an election year, delivery by the Chair of Council and Councillors of their declarations of acceptance of office** unless the Council resolves for this to be done at a later date. In a year that is not an election year, delivery by the Chair of Council of the acceptance of office unless the Council resolves for this to be done at a later date
  - ii Confirmation of the accuracy of the minutes of the last meeting of the Council and to receive and note minutes of, and/or to determine recommendations made by, committees.
  - iii Review of delegation arrangements to committees, sub-committees, officers and other local authorities.
  - iv Review of the terms of references for committees.
  - v Receipt of nominations and appointment of Councillors to existing committees.
  - vi Appointment of any new committees, confirmation of the terms of reference, the number of Councillor (including, if appropriate, substitute councillors) and receipt of nominations to them.
  - vii Review and adoption of appropriate standing orders and financial regulations.

- viii Review of arrangements, including any charters and agency agreements, with other local authorities and review of contributions made to expenditure incurred by other local authorities.
- ix Review of representation on or work with external bodies and arrangements for reporting back.
- x In an election year, to reaffirm eligibility to exercise the General Power of Competence
- xi Review of inventory of land and assets including buildings and office equipment.
- xii Review and confirmation of arrangements for insurance cover in respect of all insured risks.
- xiii Review of the Council's and/or officer's membership of other bodies
- xiv Reviewing the Council's complaints procedure.
- xv Reviewing the Council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998.
- xvi Reviewing the Council's policy for dealing with the press/media.
- xvii Setting the dates, times and place of ordinary meetings of the Council for the year ahead.

### 3 Proper Officer

- a The Council's Proper Officer shall be either (i) the Clerk or (ii) such other officer nominated by the Council to undertake the role of the Proper Officer during the Proper Officer's absence. The Proper Officer and the officer appointed to act as such during the Proper Officer's absence shall fulfil the duties assigned to the Proper Officer in standing orders.
- b The Council's Proper Officer shall:
  - i **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 and sub-committee at least 3 clear days before the meeting**  
OR  
Upon the Council having first resolved that service of summons on councillors confirming the time, date, venue and the agenda for a meeting by delivery or post at their residences at least 3 clear days before a meeting is not expedient electronically serve on councillors a summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee and a sub-committee at least 3 clear days before the meeting provided any such email contains the electronic signature and title of the Proper Officer.
  - ii **Give public notice of the time, date, venue and agenda at least 3 clear days before an extraordinary meeting of the Council or an extraordinary meeting of a committee or a sub-committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**
  - iii Subject to standing orders 4(a)-(e) below, include in the agenda all motions in the order received unless a councillor has given written notice at least ( 3 ) days before the meeting confirming withdrawal.



- iv **Convene a meeting of the Council for the election of a new Chair of the Council, occasioned by a casual vacancy in office, in accordance with standing order [3(b)i] OR [3(b)ii] above.**
  - v Make available for inspection the minutes of meetings.
  - vi **Receive and retain copies of byelaws made by other local authorities.**
  - vii **Receive and retain declarations of acceptance of office from Councillors.**
  - viii Retain a copy of every Councillor's register of interests and any changes to it and keep copies of the same available for inspection.
  - ix Keep proper records required before and after meetings.
  - x 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 policies and procedures relating to the same.
  - xi Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
  - xii Manage the organisation, storage of and access to and destruction of information held by the Council in paper and electronic form.
  - xiii Arrange for the execution of legal deeds [to be signed by 2 councillors and witnessed] (*See also standing orders 14(a) and (b).*)
  - xiv Arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations.
  - xv Record every planning application notified to the Council and the Council's response to the local planning authority.
  - xvi Refer a planning application received by the Council to the Chair [or *in absentia* the Vice-Chair] of the Environment Committee within 2 working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Environment Committee.
  - xvii Retain custody of the seal of the Council (if any) which shall not be used without a resolution to that effect.
  - xviii Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.
  - xix Manage access to information about the Council via the Publication Scheme
- (c) The Council's Proper Officer, subject to the Council's Financial Regulations relating to urgent expenditure, has the authority to act on any matter that requires urgent attention in consultation with the Chair of Council and/or Chair of the relevant committee

#### **4 Motions requiring written notice**

- a In accordance with standing order 3(b)(iii) above, no motion may be moved at a meeting unless it is included in the agenda and the mover has given written notice of its wording to the Council's Proper Officer at least ( 5 ) clear days before the next meeting.  
When calculating the 5 clear days for notice 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.

- b The Proper Officer may, before including a motion in the agenda received in accordance with standing order 4(a) above, correct obvious grammatical or typographical errors in the wording of the motion.
- c If the Proper Officer considers the wording of a motion received in accordance with standing order 4(a) above is not clear in the meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer in clear and certain language so that it can be understood at least ( 5 ) clear days before the meeting.  
When calculating the 5 clear days for notice 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 If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Chair of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- e Having consulted the Chair or Councillors pursuant to standing order 4(d) above, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.
- f Notice of every motion received in accordance with the Council's standing orders shall be numbered in the order received and shall be entered in a book, which shall be open to inspection by all Councillors.
- g Every motion rejected in accordance with the Council's standing orders shall be duly recorded with a note by the Proper Officer giving reasons for its rejection in a book for that purpose, which shall be open to inspection by all councillors.
- h Every motion and resolution shall relate to the responsibilities of the meeting for which it is tabled and in any event 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.

## **5 Motions not requiring written notice**

- a Motions in respect of the following matters may be moved without written notice.
  - i To appoint a person to preside at a meeting.
  - ii To approve the absences of councillors.
  - iii To approve the accuracy of the minutes of the previous meeting.
  - iv To correct an inaccuracy in the minutes of the previous meeting.
  - v To dispose of business, if any, remaining from the last meeting.
  - vi To alter the order of business on the agenda for reasons of urgency or expedience.
  - vii To proceed to the next business on the agenda.
  - viii To close or adjourn debate.
  - ix To refer by formal delegation a matter to a committee or to a sub-committee or an employee.

- x To appoint a committee or sub-committee or any councillors (including substitutes) thereto.
- xi To receive nominations to a committee or sub-committee.
- xii To dissolve a committee or sub-committee.
- xiii To note the minutes of a meeting of a committee or sub-committee.
- xiv To consider a report and/or recommendations made by a committee or a sub-committee or an officer.
- xv To consider a report and/or recommendations made by an officer, professional advisor, expert or consultant.
- xvi To authorise legal deeds signed by two Councillors and witnessed.  
*(See standing orders 14(a) and (b) below.)*
- xvii To authorise the payment of monies up to £ 3,000.
- xviii To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
- xix To extend the time limit for speeches.
- xx To exclude the press and public for all or part of a meeting in respect of confidential or sensitive information which is prejudicial to the public interest
- xxi To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
- xxii To give the consent of the Council if such consent is required by standing orders.
- xxiii **To suspend any standing order except those which are mandatory by law.**
- xxiv To adjourn the meeting.
- xxv To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
- xxvi To answer questions from councillors.
- xxvii To move to a vote
- xxviii To defer consideration of a motion
- xxix To require a written report
- xxx To temporarily suspend the meeting
- xxxi To close a meeting

- b If a motion falls within the terms of reference of a committee or sub-committee or within the delegated powers conferred on an officer, a referral of the same may be made to such committee or sub-committee or employee provided that the Chair may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

## 6 Rules of debate

- a Motions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Chair's direction for reasons of expedience.
- b Subject to standing orders 4(a)-(e) above, a motion shall not be considered unless it has been proposed and seconded.
- c Subject to standing order 3(b)(iii) above, a motion included in an agenda not moved by the councillor who tabled it, may be treated as withdrawn.

- d An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the Chair of the meeting, is expressed in writing to the Chair
- e A Councillor may move an amendment to their own motion if agreed by the meeting. If a motion has already been seconded, the amendment to it shall be with the consent of the seconder.
- f Any amendment to a motion shall be either:
  - i To leave out words;
  - ii To add words;
  - iii To leave out words and add other words.
- g A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration.
- h Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chair. No further amendment to a motion shall be moved until the previous amendment has been disposed of.
- i Subject to Standing Order 6(h) above, one or more amendments may be discussed together if the Chair considers this expedient but shall be voted upon separately.
- j Pursuant to the standing order 6(h) above, the number of amendments to an original or substantive motion, which may be moved by a Councillor, is limited to one.
- k If an amendment is not carried, other amendments shall be moved in the order directed by the Chair.
- l If an amendment is carried, the original motion as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.
- m The mover of a motion or the mover of an amendment shall have a right of reply, not exceeding ( 3 ) minutes.
- n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply in respect of the substantive motion at the very end of debate and immediately before it is put to the vote.
- o Unless permitted by the Chair of a meeting, a Councillor may not speak further in respect of any one motion except to speak once on an amendment moved by another Councillor; to move or speak on another amendment if the motion has been amended; to make a point of order; to give a personal explanation; or to exercise a right of reply.
- p During the debate of a motion, a Councillor may interrupt only on a point of order or a personal explanation and the Councillor who was interrupted shall stop speaking. A Councillor raising a point of order shall identify the standing order which is considered to be breached or specify other irregularity in the meeting.

- q A point of order shall be decided by the Chair and that decision shall be final.
- r With the consent of the seconder and/or of the meeting, a motion or amendment may be withdrawn by the proposer. A Councillor shall not speak upon the said motion or amendment unless permission for the withdrawal of the motion or amendment has been refused.
- s Subject to standing order 6(o) above, when a Councillor's motion is under debate no other motion shall be moved except:
  - i To amend the motion;
  - ii To proceed to the next business;
  - iii To adjourn the debate;
  - iv To put the motion to a vote;
  - v To ask a person to be silent or to leave the meeting;
  - vi To refer a motion to a committee or sub-committee for consideration;
  - vii To exclude the public and press;
  - viii To adjourn the meeting; or
  - ix To suspend any standing order, except those which are mandatory.
- t Before an original or substantive motion is put to the vote, the Chair of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived the right of reply
- u Excluding motions moved under standing order 6 (s) above, the contributions to debate by a Councillor shall relate only to the motion under discussion and shall not exceed ( 3 ) minutes without the consent of the Chair of the meeting

## **7 Code of Conduct and Dispensations**

*See also standing order 1(w) above*

- a **All councillors shall observe the code of conduct adopted by the Council.**
- b All councillors shall undertake training in the code of conduct as soon as practicable following the delivery of their declaration of acceptance of office.
- c Councillors must give written notice of interests for inclusion in the Register of Members' Interests, to be held by the Monitoring Officer of Telford and Wrekin Council, as laid down in the Code of Conduct and must keep that register up-to-date. The Register of Interest is open to inspection by members of the public
- d If a Councillor has a disclosable pecuniary interest as defined by the Code of Conduct it should be declared as soon as the interest becomes apparent disclosing the existence and nature of that interest as required
- e Unless granted a dispensation, a Councillor shall withdraw from a meeting when it is considering a matter in which there is a disclosable pecuniary interest and may return to the meeting after it has considered such matter

- f Unless granted a dispensation, a Councillor shall withdraw from a meeting when it is considering a matter in which there is another interest if so required by the Council's Code of Conduct and may return after it has considered such matter
- g **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
- h 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 required and that decision is final
- i A dispensation request shall confirm:
- i the description and the nature of the disclosable pecuniary interest or other interest to which the request for dispensation relates
  - ii whether the dispensation is required to participate at a meeting in a discussion only or a discussion and vote
  - iii the date of the meeting or the period (not exceeding four years) for which the dispensation is sought
  - iv an explanation as to why the dispensation is sought
- j Subject to standing orders 7 (g) and (i) above, dispensation requests shall be considered at the meeting of Council, or committee, or sub-committee for which the dispensation is required
- k **A dispensation may be granted in accordance with standing order 7 (h) 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 in in the interests of persons living in the Council's area; or**
  - iii **it is otherwise appropriate to grant dispensation**
- l **If paragraph 12(2) of the code of conduct contained in the Local Authorities (Model Code of Conduct) Order 2007 (SI No. 1159) has been adopted by the Council or pursuant to relevant provisions in a statutory code of conduct in force at the time, Councillors may exercise the rights contained in standing order 7(m) below only if members of the public are permitted to (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted.**
- m **Councillors with a prejudicial interest in relation to any item of business being transacted at a meeting may (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted but must, thereafter, leave the room or chamber.**

## 8 Questions

- a A councillor may seek an answer to a question concerning any business of the Council provided 3 clear days notice of the question has been given to the Proper Officer.
- b 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.
- c Every question shall be put and answered without discussion.

## 9 Minutes

- a If a copy of the draft minutes of a preceding meeting has been circulated to Councillors no later than the day of service of the summons to attend the scheduled meeting at which they are to be approved for accuracy they shall be taken as read.
- b No discussion of the draft minutes of a preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the minutes shall be raised in accordance with standing order 5(a)(iv) above.
- c Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the Chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d If the Chair of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, the minutes shall be signed and include a paragraph in the following terms or to the same effect:  
 “The Chair 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 this view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”
- e Upon a resolution which confirms the accuracy of the minutes of a meeting, any previous draft minutes or recordings of the meeting shall be destroyed.

## 10 Disorderly conduct

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the Chair of the meeting shall request such person(s) to moderate or improve their conduct.
- b If, in the opinion of the Chair, there has been a breach of standing order 10(a) above, the Chair shall express that opinion and thereafter any Councillor (including the Chair) may move that the person be silenced or excluded from the meeting, and the motion, if seconded, shall be put to the vote without discussion.

- c If a resolution made in accordance with standing order 10(b) above, is ignored, the Chair may take such further steps as may reasonably be necessary to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting

## 11 Rescission of previous resolutions

- a A resolution of the Council shall not be reversed within 6 months except either by a special motion, the written notice whereof bears the names of at least ( 9 ) Councillors of the Council to be given to the Proper Officer in accordance with standing order 4 above, or by a motion moved in pursuance of the report or recommendation of a committee.
- b When a special motion or any other motion moved pursuant to standing order 11(a) above has been disposed of, no similar motion may be moved within a further 6 months.

## 12 Voting on appointments

- a Where more than 2 persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. Any tie may be settled by the casting vote exercisable by the Chair of the meeting.

## 13 Expenditure

- a Any expenditure incurred by the Council shall be in accordance with the Council's financial regulations.
- b **The Council's financial regulations shall be reviewed once a year.**
- c **The Council's financial regulations may make provision for the authorisation of the payment of money in exercise of any of the Council's functions to be delegated to a committee, sub-committee or to an employee.**

## 14 Execution and sealing of legal deeds

*See also standing order 5(a)(xvi) above*

- a A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.  
**[In accordance with a resolution made under standing order 14(a) above, any two Councillors , may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.]**



## 15 Committees

*See also standing order 1 above*

- a The Council may, at its annual meeting, appoint standing committees and may at any other time appoint such other committees as may be necessary, and:
  - i Shall determine their terms of reference;
  - ii Shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of Council and shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
  - iii Shall appoint and determine the term of office of councillors or non-councillors of such a committee (unless the appointment of non-councillors is prohibited by law) so as to hold office not later than the next annual meeting;
  - iv Shall, after it has appointed a standing committee, appoint the Chair of the standing committee
  - v Shall determine the place, notice requirements and quorum for a meeting of a committee which shall be no less than three
  - vi Shall determine if the public and press are permitted to attend the meetings of a committee
  - vii Shall determine if the public may participate at a meeting of a committee
  - viii May in accordance with standing orders, dissolve a committee at any time.
  
- b **A committee may include non-councillors unless it is a committee which regulates and controls the finances or personnel of the Council.**

## 16 Sub-committees

*See also standing order 1 above*

- a Unless there is a Council resolution to the contrary, every committee may appoint a sub-committee whose terms of reference and members shall be determined by resolution of the committee.

## 17 Extraordinary meetings

*See also standing order 1 above*

- a **The Chair of the Council may convene an extraordinary meeting of the Council at any time.**
  
- b **If the Chair 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.**

- c The Chair of a committee (or a sub-committee) may convene an extraordinary meeting of the committee or sub-committee at any time.
- d If the Chair of a committee (or a sub-committee) does not or refuses to call an extraordinary meeting within ( 7 ) days of having been requested by to do so by ( 2 ) councillors, those councillors may convene an extraordinary meeting of that committee (or a sub-committee). The statutory public notice giving the time, venue and agenda for such a meeting must be signed by 2 councillors.

## 18 Advisory committees

*See also standing order 1 above*

- a **Unless the Council determines otherwise, all the members of an advisory committees and any sub-committees of the advisory committee may consist wholly of persons who are non- councillors.**

## 19 Accounts and Accounting Statements

- a All payments by the Council shall be authorised, approved and paid in accordance with the Council's financial regulations, which shall be reviewed at least annually.
- b The Responsible Finance Officer shall supply to each Councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
  - i the Council's receipts and payments for each quarter
  - ii the Council's aggregate receipts and payments for the year to date
  - iii the balances held at the end of the quarter being reported  
and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends
- c As soon as possible after the financial year end at 31 March, the Responsible Finance Officer shall provide:
  - i each Councillor with a statement summarising the Council's receipts and payments for the last quarter of the year for information
  - ii to Council, the accounting statements for the year in the form of Section of the annual return, as required by proper practices, for consideration and approval
- d The year end accounting statements shall be prepared in accordance with proper practices and applying the form of accounts (income and expenditure) determined by Council for the year to 31 March. A completed draft annual return shall be presented to each Councillor before the end of the following month of May. The annual return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to Council for consideration and formal approval before 30 June
- e Proper practices in standing orders refer to the most recent version of Governance and Accountability for Local Councils – A Practitioners' Guide.

## **20 Estimates/precepts**

- a The Council shall approve written estimates for the coming financial year at its meeting before the end of January.
- b Any committee desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year no later than December.

## **21 Canvassing of and recommendations by councillors**

- a Canvassing Councillors or the members of a committee or sub-committee, directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such an appointment. The Proper Officer shall disclose the requirements of this standing order to every candidate.
- b A councillor or a member of a committee or sub-committee shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for promotion; but, nevertheless, any such person may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- c This standing order shall apply to tenders as if the person making the tender were a candidate for an appointment.

## **22 Inspection of documents**

- a Subject to standing orders to the contrary or in respect of matters which are confidential, a councillor may, for the purpose of official duties (but not otherwise), inspect any document in the possession of the Council or a committee or sub-committee, and request a copy for the same purpose. The minutes of meetings of the Council, its committees or sub-committees shall be available for inspection by councillors.

## **23 Unauthorised activities**

- a Unless authorised by a resolution, no individual Councillor shall in the name or on behalf of the Council, a committee or sub-committee:
  - i Inspect any land and/or premises which the Council has a right or duty to inspect; or
  - ii Issue orders, instructions or directions.

## **24 Confidential or Sensitive Information**

- a Councillors shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature.
- b A Councillor in breach of the provisions of standing order 24(a) above may be removed from a committee or a sub-committee by a resolution of the Council.
- c The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential or sensitive information for which special reasons would not be in the public interest
- d Councillors and officers shall not disclose confidential or sensitive information which for special reasons would not be in the public interest

## **25 Power of well-being (England)**

Not applicable

## **26 Matters affecting Council officers**

- a If a meeting considers any matter personal to a Council officer, it is subject to standing order 24 above and it shall not be considered until the Council has decided whether or not the press and public shall be excluded pursuant to standing order 1(c) above.
- b Subject to the Council's policy regarding absences from work, the Council's most senior officer shall notify the Chair of the Personnel committee of any absence occasioned by illness or other reason and that person shall report such absence to the Personnel Committee at its meeting.
- c The Chair and Vice Chair of the Council shall upon resolution conduct an annual review of performance and annual appraisal of the Clerk to the Council  
The review and appraisal shall be reported in writing and is subject to approval by resolution by the Personnel Committee
- d All matters pertaining to Discipline and Grievance shall be dealt with in accordance with the Council's adopted policies.
- e Any persons responsible for all or part of the management of Council officers shall keep written records of all meetings relating to their performance, and capabilities, grievance and disciplinary matters as confidential and secure.

- f The Council shall keep written records relating to officers secure. All paper records shall be secured under lock and electronic records shall be password protected.
- g Records documenting reasons for an officer's absence due to ill health or details of a medical condition shall be made available only to those persons with responsibility for the same.
- h Only persons with line management responsibilities shall have access to employee records referred to in standing orders 26(e) and (f) above if so justified.
- i Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 26(e) and (f) above shall be provided only to the Clerk to the Council and to the Deputy Clerk.

## **27 Requests for Information**

- a All requests for information held by the Council shall be processed in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000 and the Data Protection Act 1998.
- b Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the Chair of Council. The Council shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000 including exercising the powers of the Proper Officer in respect of Freedom of Information requests set out under standing order 3(b)(x) above.

## **28 Relations with the press/media**

- a All requests from the press or other media for an oral or written statement or comment from the Council shall be processed in accordance with the Council's policy in respect of dealing with the press and/or other media.
- b In accordance with the Council's policy in respect to dealing with the press and/or other media, Councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media.

## **29 Liaison with Borough Councillors**

- a Unless the Council otherwise orders, a copy of each letter sent to the Borough Council shall be sent to the Borough Council Councillor(s) representing the electoral ward(s).
- b An invitation to attend a meeting of the Council shall be sent, together with the Agenda, to all Borough of Telford and Wrekin Councillors representing electoral wards within the civic parish boundary of Madeley

## 30 Financial Controls and Procurement

- a The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
- i the accounting records and systems of internal control;
  - ii the assessment and management of financial risks faced by the Council;
  - iii the work of the independent Internal Auditor in accordance with proper practices and the receipt of regular reports from the Internal Auditor, which shall be required at least annually;
  - iv the inspection and copying by Councillors and local electors of the Council's accounts and/or orders of payments;
  - v procurement policies (subject to standing order 30(c) below) including the setting of values for different procedures where the contract has an estimated value of less than ( £25,000 ).
- b Financial Regulations shall be reviewed annually for fitness of purpose
- c **Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of ( £25,000 ) shall be procured on the basis of a formal tender as summarised in standing order 30(d) below.**
- d Subject to additional requirements in the Financial Regulations of the Council, the tender process shall comprise, as a minimum, the following steps:
- i a public notice of intention to place a contract to be placed in a local newspaper and in any other manner that is appropriate;
  - ii a specification of the goods, materials, services and the execution of works shall be drawn up;
  - iii an invitation to tender shall be drawn up to confirm the Council's specification, the time date and address for the submission of tenders, the date of the Council's written response to tender, and the prohibition on prospective contractors contacting Councillors or officers to encourage or support their tender outside the prescribed process;
  - iv tenders are to be sent, in a sealed marked envelope, to the Proper Officer;
  - v tenders submitted are to be opened, after the stated closing date and time, by the Proper Officer and at least one Councillor;
  - vi tenders are then to be assessed and reported to the appropriate meeting of Council or Committee with delegated responsibility.
- d Neither the Council, nor any committee with delegated responsibility, is bound to accept the lowest value tender, estimate or quote.
- e **Where the value of a contract is likely to exceed £164,176 (or other threshold specified by the Office of Government Commerce from time to time) the Council must consider whether the Public Contracts Regulations 2015 (SI102) apply to the contract and, if so, the Council must comply with EU procurement rules.**

- f The Clerk to the Council will keep a record of any Officer having a pecuniary interest in any contract of the Council under s117 of the Local Government Act 1972

### **31 Code of conduct complaints**

- a Upon notification by the Unitary Council that it is dealing with a complaint that a Councillor has breached the Council's code of conduct, the Proper Officer shall, subject to standing order 24 above, report this to Council
- b Where the notification in standing order 31 (a) above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chair of Council of this fact and the Chair of Council shall nominate another officer to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take in accordance with standing order 31 (d)
- c 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
- d **Upon notification by the Unitary Council that a Councillor has breached the Council's code of conduct, the Council shall consider what, if any, action to take. Such action excludes disqualification or suspension from office**

### **32 Variation, revocation and suspension of standing orders**

- a Any or every part of the standing orders, except those which are mandatory by law, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting
- b A motion to permanently add to or to vary or to revoke one or more of the Council's standing orders not mandatory by law shall not be carried unless two-thirds of the councillors at a meeting of the Council vote in favour of the same.

### **33 Standing orders to be given to councillors**

- a The Proper Officer shall provide a copy of the Council's standing orders to a Councillor upon delivery of the declaration of acceptance of office.
- b The Chair's decision as to the application of standing orders at meetings shall be final.

- c A Councillor's failure to observe standing orders more than 3 times in one meeting may result in exclusion from the meeting in accordance with standing orders.