



CHEPSTOW TOWN COUNCIL STANDING ORDERS

Reviewed by Financial Policy and Audit Committee on 13th February 2019 and adopted by Full Council on 27th February 2019

Standing orders that are in bold type contain legal and statutory requirements.

1. MEETINGS GENERALLY

- (a) **In addition to the annual meeting of the Council, any number of other ordinary meetings may be held in each year on such dates and times as the Council decides.**
- (b) **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.**
- (c) **The minimum three clear days for 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.**
- (d) **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice.**
- (e) **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council (if there is one).**
- (f) **The Chairman of the Council, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman of the Council (if there is one), if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.**
- (g) **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.**
- (h) **The Vice-Chairman of the Council if there is one, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.**

- (i) Smoking or vaping is not permitted at any meeting of the Council.
- (ii) Councillors must not present themselves at any meeting under the influence of drugs or alcohol.

2. THE STATUTORY ANNUAL MEETING

- (a) In an election year the Annual Town Council meeting shall be held on or within 14 days following the day on which the Councillors elected take office.**
- (b) In a year which is not an election year the Annual Town Council meeting 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.**

3. CHAIRMAN OF MEETING

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

4. PROPER OFFICER

- (a) The Proper Officer shall:**

i. at least three clear days before a meeting of the council, a committee or a sub-committee:

- **serve on Councillors by delivery or post at their residences a signed summons confirming the time, place and the agenda; and**
- **provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by Councillors is signed by them) and publish electronically notice of the time and place and, as far as reasonably practicable, any documents relating to the business to be transacted at the meeting unless they relate to business which is likely to be considered in private or if their disclosure would be contrary to any enactment.**

ii. convene a meeting of Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;

iii. facilitate inspection of the minute book by local government electors;

iv. receive and retain copies of byelaws made by other local authorities;

- (b) where a statute, regulation or order confers functions or duties on the proper officer of the Council in the following cases, she/he shall be the clerk or nominated officer:

- To receive declarations of acceptance and office.
- To receive and record notices disclosing interests at meetings.
- To receive and retain plans and documents.
- To sign notices or other documents on behalf of the Council.

- To certify copies of byelaws made by the Council.
- To sign and issue the summons to attend meetings of the Council.
- To keep proper records for all Council meetings.

5. QUORUM OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES

- (a) 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.
- (b) 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.

6. VOTING

- (a) 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.
- (b) The chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote.
- (c) Unless standing orders provide otherwise, voting on a 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 his vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.
- (d) A Councillor or a non-Councillor with voting rights who has a personal or prejudicial interest in a matter being considered at a meeting which limits or restricts his right to participate in a discussion or vote on that matter is subject to obligations in the code of conduct adopted by the Council.
- (e) 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 annual 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 the new Chairman of the Council but shall give a casting vote in the case of an equality of votes.
- (f) 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 annual 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 shall give a casting vote in the case of an equality of votes.

- (g) Members shall vote by show of hands, except when voting on appointments when Members may vote by secret ballot, providing that the request for a secret ballot is made by two Members who shall be named in the minutes.

7. VOTING ON APPOINTMENTS

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

8. DURATION OF MEETINGS

The Chair person/Town Mayor or the Town Clerk at any Council meeting will indicate to the Members present when any meeting has lasted for 2 hours and 30 minutes. Unless the majority of Members present then agree that the meeting should continue, it will automatically be adjourned. Any business not considered will be considered at a time and date fixed by the chair person/Town Mayor. If the Town Mayor/chair person does not fix a date the remaining business will be considered at the next ordinary meeting.

9. ORDER OF BUSINESS

Annual Meeting

- (a) **The first business conducted at the annual meeting of the Council shall be the election of the Chairman and Vice-Chairman (if there is one) of the Council.**
- (b) **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.**
- (c) After the first business has been completed, the order of business, unless the Council otherwise decides on the ground of urgency, shall be as follows:-
- (i) Presentation of past Mayors Badge
 - (ii) To appoint representatives to outside bodies
 - (iii) To appoint representatives to Community Organisations
 - (iv) Schedule of meetings for Mayoral Year
 - (v) To appoint committees (and sub-committees)
 - (vi) To review Civic Protocol
 - (vii) To consider the payment of any subscriptions falling to be paid annually

- (viii) To read and consider the Minutes: provided that if a copy has been circulated to each member not later than the day of issue of the summons to attend the meeting, the Minutes may be taken as read
- (ix) After consideration to approve the signature of the Minutes by the person presiding as a correct record
- (x) To receive and consider reports and minutes of committees
- (xi) To consider financial matters

Ordinary Meetings

- (d) At every meeting other than the Annual Town Council Meeting the first business shall be to appoint a Chairman if the Chairman and Vice-Chairman be absent and to receive such declarations of acceptance of office (if any) and undertakings to observe the council's code of conduct as are required by law to be made, or if not then received to decide when they shall be received.**
- (e) After the first business has been completed, the order of business, unless the Council otherwise decides on the ground of urgency, shall be as follows:-
 - (i) To read and consider the Minutes: provided that if a copy has been circulated to each member not later than the day of issue of the summons to attend the meeting, the Minutes may be taken as read.
 - (ii) After consideration to approve the signature of the Minutes by the person presiding as a correct record.**
 - (iii) To deal with business expressly required by statute to be done.
 - (iv) To dispose of business, if any, remaining from the last meeting.
 - (v) To receive such communications as the person presiding may wish to lay before the Council.
 - (vi) To answer questions from Councillors.
 - (vii) To receive and consider reports and minutes of committees.
 - (viii) To consider financial matters
 - (ix) To receive and consider resolutions or recommendations in the order in which they have been notified.
 - (x) To authorise the *execution* of documents.
 - (xi) If necessary, to authorise the signing of orders for payment.
- (e) In every year, not later than the meeting at which the estimates for next year are settled, the Council, or Personnel Committee shall review the pay and conditions of service of existing employees.

10. URGENT BUSINESS

A motion to vary the order of business on the ground of urgency;

- (a) may be proposed by the Chairman or by any member and, if proposed by the Chairman, may be put to the vote without being seconded, and
- (b) shall be put to the vote without discussion.

11. RESOLUTIONS MOVED ON NOTICE

- (a) Except as provided by these Standing Orders, no resolution may be moved unless the business to which it relates has been put on the Agenda by the Clerk or the mover has given notice in writing of its terms and has delivered the notice to the Clerk at least 8 clear days before the next meeting of the council.
- (b) The Clerk shall date every notice of resolution or recommendation when received by *him/her* shall number each notice in the order in which it was received and shall enter it in a book which shall be open to the inspection of every member of the Council.
- (c) The 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 a notice of motion has stated in writing that *he/she* intends to move at some later meeting or that she/he withdraws it.
- (d) If a resolution or recommendation specified in the summons is not moved either by the member who gave notice of it or by any other member, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.
- (e) If the subject matter of a resolution comes 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/she considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.
- (f) Every resolution or recommendation shall be relevant to some subject over which the Council has power or which affects its area.

12. RESOLUTIONS MOVED WITHOUT NOTICE

Resolutions dealing with the following matters may be moved without notice:

- (a) To appoint a Chairman of the meeting.
- (b) To correct the Minutes.
- (c) To approve the Minutes.
- (d) To alter the order of business.
- (e) To proceed to the next business.
- (f) To close or adjourn the debate.

- (g) To refer a matter to a committee.
- (h) To appoint a committee or any members thereof.
- (i) To adopt a report.
- (j) To authorise the sealing of documents.
- (k) To amend a motion.
- (l) To give leave to withdraw a resolution or an amendment.
- (m) To extend the time limit for speeches.
- (n) To exclude the public.
- (o) To silence or eject from the meeting a member named for misconduct.
- (p) To give consent of the Council where such consent is required by these Standing Orders.
- (q) To suspend any Standing Order.
- (r) To adjourn the meeting.

13. QUESTIONS

- (a) A member may ask the Chairman or the Clerk any question concerning the business of the Council, provided 3 days notice of the question has been given to the person to whom it is addressed.
- (b) No questions not connected with business under discussion shall be asked except during the part of the meeting set aside for questions.
- (c) Every question shall be put and answered without discussion.
- (d) A person to whom a question has been put may decline to answer.

14. RULES OF DEBATE INCLUDING AMENDMENTS

- (a) No discussions shall take place upon the Minutes except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialed by the Chairman.
- (b) A resolution or amendment shall not be discussed unless it has been proposed and seconded, and, unless proper notice has already been given, it shall, if required by the Chairman, be reduced to writing and handed to him/her before it is further discussed or put to the meeting.
- (c) A member when seconding a resolution or amendment may, if he/she declares his/her intention to do so, reserve his/her speech until a later period of the debate.
- (d) A member shall direct her/his speech to the question under discussion or to a personal explanation or to a question of order.
- (e) No speech by a mover of a resolution shall exceed 5 minutes, and no other speech shall exceed 5 minutes except by consent of the Council.
- (f) An amendment shall be either:-
 - (i) To leave out words
 - (ii) To leave out words and insert others.

- (iii) To insert or add words.
- (g) An amendment shall not have the effect of negating the resolution before the Council.
- (h) If an amendment be carried, the resolution, as amended, shall take the place of the original resolution and shall become the resolution upon which any further amendment may be moved.
- (i) A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
- (j) The mover of a resolution or of an amendment shall have a right of reply, not exceeding 5 minutes.
- (k) A member, other than the mover of a resolution, shall not, without leave of the Council, speak more than once on any resolution except to move an amendment or further amendment, or on an amendment, or on a point of order, or in personal explanation, or to move a closure.
- (l) A member may speak on a point of order or a personal explanation. A member speaking for these purposes shall be heard forthwith. A personal explanation shall be confined to some material part of a former speech by him/her which may have been misunderstood.
- (m) A motion or amendment may be withdrawn by the proposer with the consent of the Council, which shall be signified without discussion, and no member may speak upon it after permission has been asked for its withdrawal unless such permission has been refused.
- (n) When a resolution is under debate no other resolution shall be moved except the following:-
 - (i) To amend the resolution.
 - (ii) To proceed to the next business.
 - (iii) To adjourn the debate.
 - (iv) That the question be now put.
 - (v) That a member named be not further heard.
 - (vi) That a member named do leave the meeting.
 - (vii) That the resolution be referred to a committee.
 - (viii) To exclude the public and press.
 - (ix) To adjourn the meeting.
- (o) A member shall remain seated when speaking unless requested to stand by the Chairman.
- (p) The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed.
- (q) Members shall address the Chairman. If two or more members indicate their wish to speak, the Chairman shall decide who to call upon

- (r) Whenever the Chairman speaks during a debate all others members shall be silent.

15. CLOSURE

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

16. DISORDERLY CONDUCT

- (a) **Councillors and non-Councillors with voting rights shall observe the code of conduct adopted by the Council on 23rd March 2016.**
- (b) No member shall at a meeting persistently disregard the ruling of the Chairman, willfully obstruct business, or behave irregularly, offensively, improperly or in such a manner as to bring the Council into disrepute.
- (c) If, in the opinion of the Chairman, a member has acted in a manner contrary to that required, the Chairman shall express that opinion to the Council and thereafter any member may move that the member named be no longer heard or that the member named do leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion. If a member reasonably believes another member is in breach of the code of conduct, that member is under a duty to report the breach to the Public Services Ombudsman for Wales and send a copy to the Town Clerk.
- (d) If the motion mentioned in paragraph (c) is disobeyed, the Chairman may adjourn the meeting or take such further steps as may reasonably be necessary to enforce them.
- (e) **Dispensation requests shall be in writing and submitted to the standards committee of the County Council as soon as possible before the meeting that the dispensation is required for.**

17. RIGHT TO REPLY

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

18. ALTERATION OF RESOLUTION

A member may, with the consent of his seconder, move amendments to his own resolution.

19. RESCISSION OF PREVIOUS RESOLUTION

- (a) A decision (whether affirmative or negative) of the Council shall not be reversed within six months except either by a special resolution, the written notice whereof bears the names of at least 5 members of the Council, or by a resolution moved in pursuance of the report or recommendation of a committee.
- (b) When a special resolution or any other resolution moved under the provisions of paragraphs (a) of this Order has been disposed of, no similar resolution may be moved within a further six months.

20. DISCUSSIONS AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL

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

21. RESOLUTION ON EXPENDITURE

Any resolution which is moved otherwise than in pursuance of a recommendation of the Financial Policy and Audit Committee or of another committee after recommendation by the Financial Policy and Audit Committee and which, if carried, substantially increase the expenditure upon any service which is under the management of the Council or reduce the revenue at the disposal of any committee, or which would involve capital expenditure, or for which there is no budgetary provision shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council, and any committee affected by it shall consider whether it desires to report thereon and the Financial Policy and Audit Committee shall report on the financial aspect of the matter.”

22. EXPENDITURE

Orders for the payment of money shall be authorised by resolution of the Council and signed by two members.

23. SEALING OF DOCUMENTS

- (a) **Subject to standing order 23(a), 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.**

The above is applicable to a Council with a common seal.

OR

Subject to standing order 23(a), any two Councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.

The above is applicable to a Council without a common seal.

- (b) A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution.
- (c) Any two members of the Council named in a resolution moved under the provisions of paragraph (a) of this Order may seal, on behalf of the Council, any document required by law to be issued under seal.

24. COMMITTEES

- (a) The Council may at its Annual Town Council Meeting appoint standing committees and may at any other time appoint such other committees as are necessary, but subject to any statutory provision in that behalf.
- (b) Shall not appoint any member of a committee so as to hold office later than the next Annual Meeting apart from the Personnel Committee whose members shall remain in post for the duration of the Council.
- (c) May appoint persons other than members of the Council to any Committee.
- (d) May at any time dissolve or alter the membership of a committee.
- (e) The Town Mayor and Deputy Town Mayor ex officio shall be members of every Committee with voting rights.
- (f) Every committee shall at its first meeting before proceeding to any other business, elect a Chairman and may elect a Vice-Chairman who shall hold office until the next Annual Meeting of the Council, and shall settle its programme of meetings for the year.
- (g) **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**
- (h) **The members of a committee may include non-Councillors unless it is a committee which regulates and controls the finances of the Council.**
- (i) **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-Councillors.**

25. SUB-COMMITTEES

- (a) Every committee may appoint sub-committees *or working parties* for purposes to be specified by the committee.
- (b) The Town Mayor and Deputy Town Mayor of the committee shall be members of every sub-committee appointed by it unless they signify that they do not wish to serve.
- (c) The quorum of a committee or sub-committee shall be one-third of its membership or three whichever is greater.
- (d) The Standing Orders on rules of debate (except those parts relating to standing and to speaking more than once) and the Standing Order on interests of members in contracts and other matters shall apply to committee and sub-committee meetings.

26. ADVISORY COMMITTEES

- (a) The Council may create advisory committees, whose name, and number of members and the bodies to be invited to nominate members shall be specified.
- (b) The 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 give notice thereof to the Council.
- (d) An advisory committee may consist wholly of persons who are not members of the Council.

27. EXTRAORDINARY MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES

- (a) The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
- (b) If the Chairman of the Council does not 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 shall be signed by the two Councillors.**
- (c) The Chairman of a committee or the Town Mayor of the Council may summon an additional meeting of that committee at any time. An additional meeting shall also be summoned on the requisition in writing of not less than a quarter of the members of the committee. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.

28. VOTING IN COMMITTEES

- (a) Members of committees and sub-committees entitled to vote, shall vote by show of hands, or, if at least two members so request, by signed ballot.
- (b) **Chairmen of committees and sub-committees shall in the case of an equality of votes have a second or casting vote.**

29. PRESENCE OF NON-MEMBERS OF COMMITTEES AT COMMITTEE MEETINGS

A member who has proposed a resolution which has been referred to any committee of which she/he is not a member, may explain his/her resolution to the committee but shall not vote.

30. ACCOUNTS AND FINANCIAL STATEMENT

- (a) Except as provided in paragraph (b) of this Standing Order or by statute, all accounts for payment and claims upon the Council shall be laid before the Council.
- (b) Where it is necessary to make a payment before it has been authorised by the Council, such payment shall be certified as to its correctness and urgency by the Responsible Financial Officer. Such payment shall be authorised by the committee, if any, having charge of the business to which it relates, or by the proper officer for payment with the approval of the Town Mayor or Deputy Town Mayor of the Council.
- (c) All payments ratified under sub-paragraph (b) of this Standing Order shall be separately included in the next schedule of payments laid before the Council.
- (d) The Responsible Financial Officer shall supply to each member as soon as practicable after 31 March in each year a statement of receipts and payments of the council for the completed financial year. A Financial Statement prepared on the appropriate accounting basis (receipts and payments, or income and expenditure) for a year to 31 March shall be presented to each member before the end of the following month of May. The Statement of Accounts of the Council (which is subject to external audit) shall be presented to Council for formal approval before the end of the following month of September.

31. ESTIMATES/PRECEPTS

- (a) The Council shall approve written estimates for the coming financial year at its meeting the month of November or December.
- (b) Any committee desiring to incur expenditure shall give to the Clerk a written estimate of the expenditure recommended for the coming year no later than 30th September.

32. INTERESTS

- (a) **If a member has a personal interest as defined by the Code of Conduct adopted by the Council on 23rd March 2016 then that interest must be declared and a decision made by the member whether to stay or withdraw.**
- (b) **The Clerk may be required to compile and hold a Register of Member's Interests, or a copy thereof, in accordance with the agreement reached with the Monitoring Officer of the Responsible Authority and/or required by statute.**
- (c) If a candidate for any appointment under the Council is to his/her knowledge related to any member of or the holder of any office under the Council, he and the person to whom he/she is related shall disclose the relationship in writing to the Clerk. A candidate who fails so to do shall be disqualified for such appointment, and, if appointed, may be dismissed without notice. The Clerk shall report to the council or to the appropriate committee any such disclosure. Where relationship to a member is disclosed this Standing Order shall apply.
- (d) The Clerk shall make known the purpose of this Standing Order to every candidate.

33. CANVASSING OF AND RECOMMENDATIONS BY MEMBERS

- (a) Canvassing of members of the Council or of any committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make known the purpose of this sub-paragraph of this Standing Order to every candidate.
- (b) A member of the Council or of any committee shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but, nevertheless, any such member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.

34. INSPECTION OF DOCUMENTS

- (a) A member may for the purpose of his/her duty as such (but not otherwise), inspect any document in possession of the Council or a committee, and if copies are available shall, on request, be supplied for the like purpose with a copy.
- (b) **All minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council.**

35. UNAUTHORISED ACTIVITIES

No member of the Council or of any committee or sub-committee shall in the name of or on behalf of the Council:-

- (i) Inspect any lands or premises which the council has a right or duty to

Inspect and issue orders, instructions or directions unless authorised to do so by the Council or the relevant committee or sub-committee.

36. ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

- (a) Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- (b) The Council committee or sub-committee shall state the special reason for Exclusion.
- (c) At all meetings of the Council, the Chairman may at their discretion and at a convenient time in the transaction of business, adjourn the meeting so as to allow any members of the public to address the meeting in relation to the business to be transacted at that meeting.
- (d) Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's prior written consent.**
- (e) 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.**
- (f) If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that *he/she* be removed from the meeting and may adjourn the meeting for such period as is necessary to restore order.
- (g) Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- (h) The period of time designated for public participation at a meeting in accordance with standing order 36(g) shall not exceed 15 minutes unless directed by the chairman of the meeting.
- (i) Subject to standing order 36(h), a member of the public shall not speak for more than 5 minutes.
- (j) In accordance with standing order 36(g), a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.
- (k) A person who speaks at a meeting shall direct his comments to the chairman of the meeting.
- (l) Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.

37. CONFIDENTIAL BUSINESS

- (a) No member of the Council or of any committee or sub-committee shall disclose to any person not a member of the Council any business declared to be confidential by the Council, the committee or the sub-committee as the case may be.
- (b) Any member in breach of the provisions in paragraph (a) of this Standing Order shall be removed from any committee or sub-committee of the Council by the Council.

38. LIAISON WITH COUNTY COUNCILLORS

- (a) A Schedule of Meetings to be sent to County Councillors representing Chepstow in May advising that agendas and minutes are available on the Town Councils website or via the Town Council's Administration office.
- (b) If requested by Council, a copy of each letter ordered to be sent to the County Council shall also be transmitted to the County Councillor for the ward.

39. PLANNING APPLICATIONS

- (a) The Clerk shall, as soon as it is received, enter in register kept for the purpose the following particulars of every planning application notified to the Council:-
 - (i) the date on which it was received;
 - (ii) the name of the applicant;
 - (iii) the place to which it relates;
- (b) The Clerk shall notify the receipt of every planning application to the Chairman of the Planning Committee or in the Chairman's absence to the Vice-Chairman within 48 hours of receiving it.

40. FINANCIAL MATTERS

- (a) **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.**
- (b) **A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall**

comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.

- (c) The Council shall consider and approve Financial Regulations drawn up by the Responsible Financial Officer. Such Regulations shall include detailed arrangements for the following:-
- i) the accounting records and systems of internal control;
 - ii) the assessment and management of risks faced by the Council;
 - iii) the work of the Internal Auditor and the receipt of regular reports from the Internal Auditor which shall be required at least annually;
 - iv) the financial reporting requirements of members and local electors and procurement policies (subject to (b) below) including the setting of values for different procedures where the contract has an estimated value less than £25,000 per annum.
- (d) Any proposed contract for the supply of goods, materials services and the execution of works with an estimated value in excess of £25,000 per annum shall be procured on the basis of a formal tender as summarised in (c) below.
- (e) Any formal tender shall comprise the following steps:
- (f) the Clerk shall give at least three weeks public notice of intention to place a contract in the same manner as public notice of meetings of the Council is given.
 - (g) a specification of the goods, materials, services and the execution of works shall be drawn up;
 - (h) tenders are to be sent, in a sealed marked envelope, to the Clerk by a stated date and time;
 - (i) tenders submitted are to be opened, after the stated closing date and time, by the Clerk and at least one member of the Financial Policy and Audit Committee;
 - (j) tenders are then to be assessed and reported to the appropriate meeting of Council or Committee.
- (k) The Council or a committee is not bound to accept the lowest tender., estimate or quote. Any tender notice shall contain a reference to the Standing Orders 58 and 60 regarding improper activity.
- (l) The Financial Regulations of the Council shall be subject to regular review, at least every four years.

41. CODE OF CONDUCT ON COMPLAINTS

The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or member in such manner as adopted by the Council except for those complaints which should be properly directed to the Public Services Ombudsman for Wales. And a copy sent to the Town Clerk

42. VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

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

43. STANDING ORDERS TO BE GIVEN TO MEMBERS

A copy of these Standing Orders shall be given to each member by the Clerk upon delivery to him of the member's declaration of acceptance of office and written undertaking to observe the Code of Conduct adopted by the Council.

44. MANAGEMENT OF INFORMATION

See also standing order 45.

- (a) **The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.**
- (b) **The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).**
- (c) **The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.**
- (d) **Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.**

45. RESPONSIBILITIES TO PROVIDE INFORMATION

See also standing order 46.

- (a) **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**

46. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

(Below is not an exclusive list).

- (a) **The Council may appoint a Data Protection Officer.**
- (b) **The Council shall have policies and procedures in place to respond to an**

- individual exercising statutory rights concerning his personal data.**
- (c) The Council shall have a written policy in place for responding to and managing a personal data breach.**
 - (d) 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.**
 - (e) The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.**
 - (f) The Council shall maintain a written record of its processing activities.**