



St Anne's on the Sea Town Council

Standing Orders

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1 MEETINGS

- Full Council meetings
 - 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 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.
 - c 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.
 - ■ d 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.
 - e 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. However, this must be arranged and agreed with the Town Clerk prior to the meeting and confirmed with the Council Chairman or the Chairman of the relevant Standing Committee – see standing order 1 (g) below.
 - f The period of time designated for **public participation** at a Council meeting shall not exceed 15 minutes unless directed by the Chairman of the meeting. Each speaker shall speak for no longer than **3 minutes**. **The Council meeting is adjourned during the public participation; so is not part of the formal meeting.**
During the public participation session in Council meetings, members of the public are restricted to discussing items only on that meeting's agenda.
 - g Subject to standing order 1 (e) above, a Member of the public shall not speak on a Council Committee **agenda item** for more than **5 minutes**. **Agenda item being part of meeting.**
 - h In accordance with standing order 1 (e) above, a question shall not require a response at the meeting nor start a debate on the question. The Chairman of the meeting may direct that a written or oral response be given.
 - i A person shall raise his hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort). The Chairman of the meeting may at any time permit a person to be seated when speaking.
 - j A person who speaks at a meeting shall direct his comments to the Chairman of the meeting.
 - k 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.
 - ■ l On 6 August 2014, the 1960 Act was amended by the Openness of Local Government Bodies Regulations 2014 ("the 2014 Regulations"). **The**

amended 1960 Act provides that a person may not orally report or comment about a meeting as it takes place if he is present at the meeting of a parish council or its committees but otherwise may:

- a) film, photograph or make an audio recording of a meeting;
- b) use any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later;
- c) report or comment on the proceedings in writing during or after a meeting or orally report or comment after the meeting.

- l 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.
- m 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 a Vice-Chairman of the Council (if any).
- n The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.
- o Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the Councillors or Councillors with voting rights present and voting.
- p 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.
See standing orders 2 (i) and 2 (j) below for the different rules that apply in the election of the Chairman of the Council at the annual meeting of the Council.
- q 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. Any Councillor can propose the taking of a paper ballot as part of a voting question, this must be seconded. Such requests shall be made before moving on to the next item of business on the agenda.
- r The minutes of a meeting shall include an accurate record of the following:
 - i. the time and place of the meeting;
 - ii. **the names of Councillors present** and absent;
 - iii. interests that have been declared by Councillors and non-Councillors with voting rights;
 - iv. whether a Councillor or non-Councillor with voting rights left the meeting when matters that they held interests in were being considered;
 - v. if there was a public participation session; and
 - vi. the resolutions made.
- s A Councillor or a non-Councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's Code of Conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.
- t 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.

- ■ u **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.
- v A meeting shall not exceed a period of 2 hours; after 2 hours the meeting must be adjourned. If business is not completed the meeting can be rescheduled to complete the agenda items and Council business.

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 after 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 first business conducted at the annual meeting of the Council shall be the election of the Chairman of the Council.**
- f **Any Councillor nominated for the position of Chairman or Deputy/Vice Chairman for Full Council must be in attendance at that 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 any, 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 **In an election year, if the current Chairman of the Council has not been re-elected as a Member of the Council, he shall preside at the meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but must give a casting vote in the case of an equality of votes.**
- j **In an election year, if the current Chairman of the Council has been re-elected as a Member of the Council, he shall preside at the meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and must give a casting vote in the case of an equality of votes.**
- k Following the election of the Chairman of the Council and Deputy Mayor of the Council at the annual meeting of the Council, the business of the annual meeting may include:
 - i. **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;**
 - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council;
 - iii. Receipt of the minutes of the last meeting of a Committee;
 - iv. Consideration of the recommendations made by a Committee;

- v. Review of delegation arrangements to Committees, sub-Committees, staff and other local authorities;
- vi. Appointment of Members to existing Committees;
- vii. Appointment of any new Committees in accordance with standing order 4 above;
- viii. Review and adoption of appropriate standing orders and financial regulations; this can be discussed at alternative Council meetings
- ix. 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; this can be discussed at alternative Council meetings
- x. Review of representation on or work with external bodies and arrangements for reporting back;
- xi. In an election year, to make arrangements with a view to the Council becoming eligible to exercise the general power of competence in the future;
- xii. Review of inventory of land and assets including buildings and office equipment; this can be discussed at alternative Council meetings
- xiii. Confirmation of arrangements for insurance cover in respect of all insured risks; this can be discussed at alternative Council meetings
- xiv. Review of the Council's and/or staff subscriptions to other bodies; this can be discussed at alternative Council meetings
- xv. Review of the Council's procedures for handling requests made under the Freedom of Information Act 2000 and the General Data Protection Regulation 2018 ; this can be discussed at alternative Council meetings
- xvi. Review of the Council's policy for dealing with the press/media; this can be discussed at alternative Council meetings
- xvii. Determining the time and place of any Council up to and including the next annual meeting of full Council. – this can be discussed at alternative Council meetings

3 TOWN CLERK

- a The Town Clerk is the Town Clerk or another staff Member(s) nominated by the Council to undertake the work of the Town Clerk when the Town Clerk is absent.
- b **The Town Clerk shall:**
 - i. **at least three clear days before a meeting of the Council, a Committee and a sub-Committee serve on Councillors a summons**, by email, confirming the time, place and the agenda provided any such email contains the electronic signature and title of the Town Clerk
See standing order 1 (b) for the meaning of clear days for a meeting of a full Council and standing order 1 (c) above for a meeting of a Committee.
- c **The Town Clerk shall give public notice of the time, place and agenda at least three clear days before a meeting of the Council or a meeting of a Committee or a sub-Committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by Councillors is signed by them);**
See standing order 3(b) above for the meaning of clear days for a meeting of a full Council and standing order 3(c) above for a meeting of a Committee.
 - i. subject to standing order 4, include on the agenda all motions in the order received unless a Councillor has given written notice at least 2 days before the meeting confirming his withdrawal of it;
 - ii. **convene a meeting of full 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 (or provide copies of minutes);
 - iv. retain acceptance of office forms from Councillors; (or nominated officer)
 - v. assist with responding to requests made under the Freedom of Information Act 2000 and , General Data Protection Regulation 2018 in accordance with and subject to the Council's policies and procedures relating to the same;

- vi. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary; (or nominated officer)
- vii. manage the organisation, storage of, access to and destruction of information held by the Council in paper and electronic form;
- viii. arrange for legal deeds to be executed;
- ix. 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 (or Responsible Finance Officer)
- x. record every planning application notified to the Council and the Council's response to the local planning authority (or nominated officer)
- xi. refer a planning application received by the Council to the next Planning Committee (or nominated officer)
- xii. If there is insufficient time for a planning application to be considered, consideration of this be delegated the Chairman of the Planning Committee or the Chairman of the any other Committee in their absence.
- xiii. manage access to information about the Council via the publication scheme

4 MOTIONS FOR A MEETING THAT REQUIRE WRITTEN NOTICE TO BE GIVEN TO THE TOWN CLERK

- a A motion shall relate to the responsibilities of the meeting which it is tabled for and in any event shall relate to the performance of the Council's statutory functions, powers and obligations or an issue which specifically affects the Council's area or its residents.
- b No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Town Clerk at least 7 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c The Town Clerk may, before including a motion on the agenda received in accordance with standing order 4 (b) above, correct obvious grammatical or typographical errors in the wording of the motion.
- d If the Town Clerk considers the wording of a motion received in accordance with standing order 4 (b) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Town Clerk so that it can be understood.
- e If the wording or subject of a proposed motion is considered improper, the Town Clerk shall consult with the Chairman 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.
- f Subject to standing order 4 (e) above, the decision of the Town Clerk as to whether or not to include the motion on the agenda shall be final.

5 MOTIONS NOT REQUIRING WRITTEN NOTICE

- a The following motions may be moved at a meeting without written notice;
 - i. to correct an inaccuracy in the draft minutes of a meeting;
 - ii. to move to a vote;
 - iii. to defer consideration of a motion;
 - iv. to refer a motion to a particular Committee or sub-Committee;
 - v. to appoint a person to preside at a meeting;
 - vi. to change the order of business on the agenda;
 - vii. to proceed to the next business on the agenda;
 - viii. to require a written report;
 - ix. to appoint a Committee or sub-Committee and their Members;
 - x. to extend the time limits for speaking;

- xi. to exclude the press and public from a meeting in respect of confidential or sensitive information which is prejudicial to the public interest;
- xii. to not hear further from a Councillor or a Member of the public;
- xiii. to exclude a Councillor or Member of the public for disorderly conduct;
- xiv. to temporarily suspend the meeting;
- xv. to suspend a particular standing order (unless it reflects mandatory statutory requirements);
- xvi. to adjourn the meeting; or
- xvii. to close a meeting.

6 RULES OF DEBATE AT MEETINGS

- a Motions on the agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Chairman's direction for reasons of expedience.
- b A motion (including an amendment) shall not be considered unless it has been proposed and seconded.
- c A motion included in an agenda not moved by the Councillor who tabled it, may be treated as withdrawn.
- d If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder.
- e An amendment to a proposal to remove or add words it shall not negate the motion.
- f If an amendment to the original motion is carried, the original motion becomes the substantive motion upon which further amendment(s) may be moved.
- g An amendment shall not be considered unless early verbal notice of it is given at the meeting to the Chairman. Written notice of an amendment can be given to the meeting Chairman, before or at the start of a meeting.
- h A Councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder.
- i If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the Chairman.
- j Subject to standing order 6 (k) below, only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman of the meeting.
- k One or more amendments may be discussed together if the Chairman of the meeting considers this expedient but each amendment shall be voted upon separately.
- l A Councillor may not move more than one amendment to an original or substantive motion.
- m The mover of an amendment has no right of reply at the end of debate on it.
- n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate of the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
- o Unless permitted by the Chairman of the meeting, a Councillor may speak once in the debate on a motion except:
 - i. to speak on an amendment moved by another Councillor;

- ii. to move or speak on another amendment if the motion has been amended since he last spoke;
 - iii. to make a point of order;
 - iv. to give a personal explanation; or
 - v. in exercise of 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 he considers has been breached or specify the other irregularity in the proceedings of the meeting he is concerned by.
- q A point of order shall be decided by the Chairman of the meeting and his decision shall be final.
- r When a 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 no longer heard or to leave the meeting;
 - vi. to refer a motion to a Committee or sub-Committee for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting; or
 - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory requirements.
- s Before an original or substantive motion is put to the vote, the Chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.
- t Excluding motions moved under standing order 6 (r) above, the contributions or speeches by a Councillor shall relate only to the motion under discussion and shall not exceed five minutes without the consent of the Chairman of the meeting.

7 CODE OF CONDUCT AND DISPENSATIONS

See also standing order 6 (t) above.

- a All Councillors and non-Councillors with voting rights shall observe the Code of Conduct adopted by the Town Council, on 7th August 2012. The Code of Conduct adopted is the Code of Conduct now in force at Fylde Borough Council, the principal authority and adopted by all Parish and Town Councils within the Borough boundary.
- b There is an obligation for Members to complete a new Declarations of Interest Form within 28 days of it adopting the new Code of Conduct.
- c Unless he has been granted a dispensation, a Councillor or non-Councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.
- d Unless he has been granted a dispensation, a Councillor or non-Councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the Council's Code of Conduct. He may return to the meeting after it has considered the matter in which he had the interest.

- e **Dispensation requests shall be in writing and submitted to the Town Clerk** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- f A decision as to whether to grant a dispensation shall be made by the Town Clerk and that decision is final.
- g A dispensation request shall confirm:
 - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - iv. an explanation as to why the dispensation is sought.
- h Subject to standing orders 7 (d) and 7 (f) above, dispensations requests shall be considered (by the Town Clerk before the meeting or, if this is not possible, at the start of the meeting) for which the dispensation is required
- i **A dispensation may be granted in accordance with standing order 7 (e) above if having regard to all relevant circumstances the following applies:**
 - i. **without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business or**
 - ii. **granting the dispensation is in the interests of persons living in the Council's area or**
 - iii. **it is otherwise appropriate to grant a dispensation.**

8 QUESTIONS

- a A Councillor may seek an answer to a question concerning any business of the Council provided five clear days' notice of the question has been given to the Town Clerk.
- b Questions only related to items of business on the agenda for a meeting shall only be answered at the meeting.
- c Every question shall be put and answered without discussion.
- d Questions not relating to agenda items must be sent to the Clerk and/or the Chairman.

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 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) (i).
- c Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the Chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d If the Chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:
"The Chairman of this meeting does not believe that the minutes of the meeting of the () held on [date] in respect of () were a correct record but his view was not upheld by the majority of the () 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 any Council/Committee meeting or behave offensively or improperly.
- b If person(s) disregard the request of the meeting Chairman to moderate or improve their conduct, any Councillor or the meeting Chairman may move that the person be no longer heard or excluded from the meeting. The motion if seconded, shall be put to the vote without discussion,
- c If a resolution made in accordance with standing order 10(b) above, is disobeyed, the Chairman may take such further steps as may reasonably be necessary to enforce it and/or he may adjourn the meeting.

11 PREVIOUS RESOLUTIONS

- a A resolution (whether affirmative or negative) 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 three Councillors of the Council, or by a motion moved in pursuance of the report or recommendation of a Committee.
- b When a special motion or any other motion moved 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 two 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. A tie in votes may be settled by the casting vote exercisable by the Chairman of the meeting.
- b 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 Chairman's casting vote.

13 FINANCIAL CONTROLS AND PROCUREMENT

- a Any expenditure incurred by the Council shall be in accordance with the Council's financial regulations.
- b 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

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

15 COMMITTEES AND SUB-COMMITTEES

- a **Unless the Council determines otherwise, a Committee may appoint a Sub-Committee whose terms of reference and Members shall be determined by the Committee.**
- b **The Members of a Committee may include non-Councillors unless it is a Committee which regulates and controls the finances of the Council.**
- c **Unless the Council determines otherwise, all the Members of an advisory Committee and a Sub-Committee of the advisory Committee may be non-Councillors.**
- d 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. may permit Committees to determine the dates of their meetings;
 - iii. shall appoint and determine the term of office of Councillor or non-Councillor Members of such a Committee (unless the appointment of non-Councillors is prohibited by law) so as to hold office no later than the next annual meeting;
 - iv. may appoint substitute Councillors to a Committee whose role is to replace ordinary Councillors at a meeting of a Committee if ordinary Councillors of the Committee have confirmed to the Town Clerk two days before the meeting that they are unable to attend;
 - v. may in accordance with standing orders, dissolve a Committee at any time.
 - vi. At the first meeting of a Committee after the Annual General meeting the first order of business is to appoint a Chairman.
 - vii. No business may be transacted at a Committee or Sub-Committee meeting unless one third of the Members (including substitutes) are present and in no case shall the quorum of a meeting be less than 3.
- e The Council may appoint advisory Committees comprised of a number of Councillors and non-Councillors.
- f Advisory Committees and any Sub-Committees must have at least one Town Councillor and cannot consist wholly of persons who are non-Councillors:
- g 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.

16 EXTRAORDINARY MEETINGS

- a **The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
- b **If the Chairman of the Council does not or refuses to call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two Councillors, any two Councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting must be signed by the two Councillors.**
- c The Chairman of a Committee, or a Sub-Committee, may convene an extraordinary meeting of the Committee, or the Sub-Committee, at any time.
- d **If the Chairman of a Committee or Sub-Committee does not or refuses to call an extraordinary meeting within seven days of having been requested in writing to do so by two Members of that Committee, or Sub-Committee, any two Members may convene an extraordinary meeting of that Committee or Sub-Committee.**

17 RESPONSIBLE FINANCE OFFICER

- a The Council shall appoint a Responsible Finance Officer which is a separate staffing role from the Town Clerk.

18 ACCOUNTS AND FINANCIAL STATEMENT

- a "Proper practices" in standing orders refer to the most recent version of Governance and Accountability for Local Councils – a Practitioners' Guide (England).
- b All payments by the Council shall be authorised, approved and paid in accordance with the law, Proper practices and the Council's financial regulations.
- c The Responsible Finance Officer shall supply to each the Policy and Resources Committee as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
 - i. 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.
- d 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 and the year to date for information; and
 - ii. to the full Council the accounting statements for the year in the form of Section 1 of the annual return, as required by Proper practices, for consideration and approval.
- e The year-end accounting statements shall be prepared in accordance with Proper practices and applying the form of accounts determined by the Council (receipts and payments, or income and expenditure) for a 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 the Council and formal approval before 30 June.
- f The Council shall approve written estimates for the coming financial year at its meeting before the end of January.

19 FINANCIAL CONTROLS AND PROCUREMENT

- a The Council has considered and approved financial regulations drawn up by the Responsible Finance Officer, which include detailed arrangements in respect of the following:
 - i. the keeping of accounting records and systems of internal controls;
 - 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; and
 - v. procurement policies (subject to standing order 19 (c) below) including the setting of values for different procedures where a contract has an estimated value of less than £40,000.
- b Financial regulations shall be reviewed regularly (every two years) for fitness of purpose.

- c **Financial regulations shall confirm that a proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £40,000 shall be procured on the basis of a formal tender as summarised in standing order 19 (d) below.**
- d Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
- i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting Councillors or staff to encourage or support their tender outside the prescribed process;
 - iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
 - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Town Clerk;
 - v. tenders shall be opened by the Town Clerk in the presence of at least one Councillor after the deadline for submission of tenders has passed;
 - vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a Committee with delegated responsibility.
- e Neither the Council, nor a Committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- f **Where the value of a contract is likely to exceed £138,893 (or other threshold specified by the Office of Government Commerce from time to time) the Council must consider whether the Public Contracts Regulations 2006 (SI No. 5, as amended) and the Utilities Contracts Regulations 2006 (SI No. 6, as amended) apply to the contract and, if either of those Regulations apply, the Council must comply with EU procurement rules**
- g In the case of an emergency, that expenditure on revenue or capital items be authorised up to a maximum of £1000 by the Clerk in conjunction with the Council Chairman and the three Committee Chairman.

20 MATTERS AFFECTING COUNCIL EMPLOYEES

- a If a meeting considers any matter personal to a Council employee, 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 (d).
- b Subject to the Council's policy regarding absences from work, the Town Clerk shall notify the Chairman of the Council or, in his absence, a Chairman of the Standing Committees, of the Council] of any absence occasioned by illness or urgency and that person shall report such absence to the Council, at its next meeting.
- c The Chairman of the Council or a Chairman of the Standing Committees, may conduct an annual review of the performance and/or appraisal of the Town Clerk and shall keep a written record of it.
- d Subject to the Council's policy regarding the handling of grievance matters, the Town Clerk shall contact the Chairman of the Council or in his absence, a Chairman of another Committee of the Council in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Council

- e Subject to the Council's policy regarding the handling of grievance and disciplinary matters, if an informal or formal grievance matter raised by the Town Clerk relates to a Councillor, this shall be communicated to the Chairman or Chairman of the Standing Committees of the Council or another Member of the Council, which shall be reported back and progressed by resolution of the Council
- f Any persons responsible for all or part of the management of Council employees shall keep written records of all meetings relating to their performance, and capabilities, grievance and disciplinary matters.
- g The Council shall keep written records relating to employees secure. All paper records shall be secured under lock and electronic records shall be password protected.
- h Records documenting reasons for an employee'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.
- i Only persons with line management responsibilities shall have access to employee records referred to in standing orders 20 (g) and 20 (h) above if so justified.
- j Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 20 (g) and 20 (h) above shall be provided only to the Town Clerk.

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 Town Clerk 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 his official duties (but not otherwise), inspect any document in the possession of the Council or a Committee or a 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, or a 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 unless authorised to do so by the Council or the relevant Committee or Sub-Committee.

24 CONFIDENTIAL BUSINESS

- a Councillors and employees 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.

25 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 General Data Protection Regulation 2018.
- b Correspondence from, and notices served by, the Information Commissioner shall be referred by the Town Clerk to the Chairman of the Council. The Council shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000 and the General Data Protection Regulation 2018.

26 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.

27 DISCLOSABLE PECUNIARY AND OTHER INTERESTS

- a **Under Section 30 of the Localism Act 2011, Councillors, including Town and Parish Councillors, are required to register their Disclosable Pecuniary Interests in the Register maintained by the Monitoring Officer of Fylde Borough Council. The Act also requires the Monitoring Officer to publish the register of interests on its website, which includes the interests of Town Councillors.**
- b A 'disclosable pecuniary interest' is an interest the Councillor or their partner (which means spouse or civil partner, a person with whom the Member is living as husband or wife, or a person with whom the Member is living as if they are civil partners) within the following descriptions:
 - i. Employment, office, trade, profession or vacation
 - ii. Sponsorship
 - iii. Contracts that are made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority:
 - iv. Land within the area of the relevant authority.
 - v. Licences to occupy land in the area of the relevant authority for a month or longer.
 - vi. A corporate tenancy where the landlord is the relevant authority; and the tenant is a body in which the relevant person has a beneficial interest.
 - vii. Securities - Any beneficial interest in securities of a body where;
 - viii. that body (to the knowledge of the Member or their partner) has a place of business or land in the area of the relevant authority: and either
 - ix. the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body: or
if the share capital of that body is more than one class, the total nominal value of the share of any one class in which the relevant person has beneficial interest exceeds one hundredth of the total issued share capital of that class.

28 ALLEGATIONS OF BREACHES OF THE CODE OF CONDUCT

Upon notification by Fylde Borough Council that it is dealing with a complaint that a Councillor or non-Councillor with voting rights has breached the Council's Code of Conduct, the Town Clerk shall report this to the Council.

- a 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
- b Upon notification by the District or Unitary Council that a Councillor or non-Councillor with voting rights has breached the Council's Code of Conduct, the Council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.**

29 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 any specific item of business.
- 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.
- c The Chairman's decision as to the application of standing orders at meetings shall be final.
- d A Councillor's failure to observe standing orders more than 3 times in one meeting may result in him being excluded from the meeting in accordance with standing orders.

30 STANDING ORDERS TO BE GIVEN TO COUNCILLORS

- a The Town Clerk shall provide a copy of the Council's standing orders to a Councillor upon delivery of his declaration of acceptance of office.

Standing Orders are the written rules of St. Anne's on the Sea Town Council. They are used to confirm the Council's internal organisational, administrative and procurement procedures and procedural matters for meetings. They are not the same as the Council policies but may refer to these. As a member of NALC, the Town Council has used the NALC model standing orders, adapted for this Council. Items marked in bold type contain statutory requirements; as recommended by NALC these have been adopted without changing them.

Agreed and adopted by the Town Council on 15th July 2014

Updated on 21st October 2014 – Policy and Resources Committee

Updated and adopted by the Town Council on 20th September 2016

Updated and adopted by the Town Council on 31st January 2017

Updated and adopted by the Town Council 16 July 2019

Updated on 14 January 2020 – Policy and Resources Committee

The Standing Orders conform with the Governance and Accountability for Small Authorities in England 2019