

# ***Royal Wootton Bassett Town Council***

*ADOPTED BY COUNCIL*

*8<sup>th</sup> December 2016*

## **Standing Orders**

***Appendices attached as follows:***

***Appendix A – Members’ Code of Conduct***

***Appendix B – Financial Regulations***

***Appendix C – Scheme of Delegation***

***Appendix D – Town Clerk Job Description***

# FINAL REVIEW DRAFT – OCTOBER 2016

## ROYAL WOOTTON BASSETT TOWN COUNCIL

### STANDING ORDERS

These Standing Orders reinforce the importance of the Code of Conduct. Elected members should be aware of the provisions of the Code at **all times**. For the avoidance of doubt, a copy of the Code of Conduct adopted by the Council is attached at Appendix A. This is in addition to the separate copy of the Code issued to elected members on first being elected.

#### 1. MEETINGS OF THE COUNCIL

- 1.1 **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.**
- 1.2 Meetings of the Council shall normally commence at 7.30pm and be held as decided by the Council on the published calendar of meetings. Public Question Time, under Standing Order 10 shall be for 10 minutes at the start of the meeting.
- 1.3 Meetings will close by 9.00 pm unless a resolution has been passed by members to continue after that time. Any such resolution must take into account the implications for staff under Working Time Regulations.
- 1.4 The Statutory Annual Meeting of the Council shall be held: -
  - 1.4.1 **In an election year the Annual Meeting shall be held on, or within 14 days following the day on which the Councillors elected take office;**
  - 1.4.2 **In any other year the Annual Meeting shall be held on such day in May as the Council may determine.**
- 1.5 **All other meetings of the Council shall be held on such dates as maybe fixed by the Council from time to time and there shall be at least three such meetings in the municipal year.**
- 1.6 Extraordinary meetings of the Council may be called: -
  - 1.6.1 **By the Mayor, or if absent the Deputy Mayor at any time.**
  - 1.6.2 **If the Mayor 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.**

## **2. CHAIRMAN**

- 2.1 The Mayor, if present, shall preside at all full Council meetings. If the Mayor is absent from a meeting, the Deputy Mayor, if present, shall preside. If both the Mayor and the Deputy Mayor are absent from a meeting, a Councillor as chosen by those Councillors present at the meeting shall preside at that meeting.**
- 2.2 Subject to Standing Orders which indicate otherwise, anything authorised or required to be done by, to or before the Mayor may, in his/her absence, be done by, to or before the Deputy Mayor.**
- 2.3 In the absence of the Mayor or the Deputy Mayor, the person elected to Chair the meeting shall exercise all the powers and duties of the Mayor in relation to the conduct of the meeting.**

## **3. PROPER OFFICER**

**Where a statute, regulation or order confers functions or duties on the Proper Officer of the Council, in the following cases s/he shall be the Town Clerk.**

- To receive Declarations of Acceptance of Office from Councillors;**
- To receive and record notices disclosing members' interests under the Code of Conduct;**
- To receive and retain plans and documents;**
- To sign Notices or other documents on behalf of the Council;**
- To receive copies of Bye-laws made by the Unitary Council;**
- To certify copies of Bye-laws made by the Council;**
- To sign and issue summonses to attend meetings of the Council;**
- Give public notice of the time, place and agenda at least three clear days before a meeting of the Council (provided that the public notice with agenda of an extraordinary meeting of the Council convened by Councillors is signed by them)**
- Convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in that office**

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

## **4. PRESENCE OF PUBLIC**

- 4.1 The statutory right of the public to attend meetings shall be subject to:**
  - 4.1.1 Availability of reasonable accommodation for the public to attend, and**
  - 4.1.2 All powers of the Mayor or Chairman of Committee to exclude any person or persons from a meeting or to adjourn a meeting in order to suppress or prevent disorderly conduct or other misbehaviour at a meeting. If a member of the public interrupts the proceedings at any meeting, the Chairman shall warn that person.**

**4.1.3 If the interruption continues the Chairman shall order the person to be removed from the meeting room. In the case of general disturbance in any part of the meeting room the Chairman shall order that part to be cleared.**

## **5. QUORUM**

**5.1 The Quorum for meetings of the Council shall be six.**

**5.2 If, during any meeting of the Council the Mayor, after counting the number of members present, declares that there is not a quorum, the meeting shall stand adjourned and any business not transacted at the meeting shall be transacted at the next meeting or on such day as the Mayor may fix.**

## **6. VOTING**

**6.1 Voting shall be by show of hands.**

**6.2 If a member so requires, the Town Clerk shall record the names of the members who voted on any question so as to show whether they voted for or against it. Any such request must be made prior to the vote being taken.**

## **7 CHAIRMAN'S CASTING VOTE**

**7.1 Subject to 7.2 and 7.3 below, the Mayor may give an original vote on any matter put to the vote and in the case of an equality of votes, may give a casting vote even if s/he gave no original vote.**

**7.2 If the person presiding at the Annual Meeting would have ceased to be a Member of the Council but for the statutory provisions which preserve membership of the Mayor and Deputy Mayor until the end of their term of Office s/he may NOT give an original vote in an election for Mayor but MUST give a casting vote if necessary.**

**7.3 The person presiding must give a casting vote whenever there is an equality of votes in an election of Mayor.**

## **8. VOTING ON APPOINTMENTS**

**8.1 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.**

## **9. ORDER OF BUSINESS**

**9.1 At each Annual Meeting the first business shall be: -**

**9.1.1 To elect a Mayor;**

- 9.1.2 **To receive the Mayor's declaration of acceptance of office or, if not then received, to decide when it shall be received.**
- 9.1.3 **To elect a Deputy Mayor; who shall normally become the Mayor in the following Civic Year.**
- 9.1.4 To appoint an honorary Sword Bearer to the Council
- 9.2. At the next **full meeting** the Council will: -
  - 9.2.1 **Appoint Standing Committees, having the duties and powers as set out in the Scheme of Delegation adopted by the Council.**
  - 9.2.2 **Inspect any deeds and trust instruments in the custody of the Council.**
- 9.3 **At every meeting other than the Annual Meeting the first business shall be to appoint a Chairman if the Mayor and Deputy Mayor be absent and to receive such declarations of acceptance of office (if any) as are required by law to be made, or if not then received, to decide when they shall be received.**
- 9.4 At every other normal Council meeting, the order of business shall be as follows: -
  - 9.4.1 Apologies
  - 9.4.2 Declarations of Members' Interests
  - 9.4.3 Confirmation of Minutes of the previous meeting.
  - 9.4.4 Mayor's Communications.
  - 9.4.5 To answer any questions under Standing Order 17.
  - 9.4.6 To dispose of any business not dealt with at the last meeting.
  - 9.4.7 To receive written reports from partner organisations such as Police, MP, Unitary Councillors and Representatives to outside bodies appointed by the Council.
  - 9.4.8 To receive and adopt reports and minutes of standing committees and advisory committees.
  - 9.4.9 To consider Motions in the order in which they have been notified.
  - 9.4.10 Any other business as specified in the summons
- 9.5 Subject to points 9.4.1 and 9.4.2 of Standing Order 9.4 not being displaced, the order of business at a meeting may, with the permission of the Mayor, be varied, on the grounds of urgency or convenience.

## **10. PUBLIC QUESTION TIME**

- 10.1 Each meeting of the Town Council and its Standing Committees (but not its Sub-

Committees or working groups) shall be preceded by a period of 'Public Question Time' not exceeding ten minutes, unless so authorised by the Mayor/Chairman.

10.2 The Mayor/Chairman will call upon those wishing to speak in turn, each questioner being allowed to speak for a maximum of three minutes. Those wishing to speak shall state their name and address.

10.3 Answers to questions may take the form of:

10.3.1 A direct oral response, or

10.3.2 When the desired information is contained in a publication, reference to that publication, or

10.3.3 When it is more convenient to do so a written answer subsequent to the meeting.

10.4 Every question shall be put and answered without discussion.

10.5 Questions shall not be permitted that relate to the individual affairs of either the questioner or any other named person, but should only relate to matters of policy or practice, i.e. matters of a general nature rather than individual concern.

10.6 The Mayor/Chairman of the meeting shall disallow any question that is in his or her opinion, scurrilous, improper, pernicious, irrelevant or otherwise objectionable.

## **11. RULES OF DEBATE**

11.1 These Rules of Debate, shall also apply to Committee and Sub Committee meetings save that references to "the Mayor" and "the Council" shall be changed to refer to "the Chairman of the meeting" and "the Committee" as appropriate.

11.2 No discussion shall take place upon the Minutes except upon their accuracy. Corrections, if any, to the Minutes shall be made by resolution and must be included in the Minutes of the meeting at which the correction is made.

11.3 A motion or amendment shall not be discussed unless it has been proposed and seconded and it shall, if required by the Mayor, be put into writing (unless Notice has already been given in accordance with Standing Order 15) and handed to the Mayor/Chairman before it is further discussed or put to the meeting.

11.4 The mover of a motion shall have a right to reply immediately before the motion is put to the vote. If an amendment is proposed the mover of the amendment shall be similarly entitled to reply. A member exercising a right to reply shall not introduce a new matter.

11.5 After the right of reply has been exercised or waived a vote shall be taken without further discussion.

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

11.7 A member when seconding a motion or amendment may, if he then declares his intention to do so, reserve his speech until a later period of the debate.

- 11.8 A member, when speaking, shall address the Mayor/Chairman. If two or more members wish to speak the Mayor/Chairman shall decide who to call upon.
- 11.9 While a member is speaking the other members shall remain silent, unless raising a point of order or in personal explanation.
- 11.10 A point of order shall be decided by the Mayor/Chairman and his/her decision shall be final.
- 11.11 If the Mayor/Chairman rises during a debate, all other members shall be seated and silent.
- 11.12 A member shall direct his speech to the question under discussion or to a personal explanation or to a point of order.
- 11.13 The speech of a member moving a motion (but not an amendment) shall not exceed five minutes and all other speeches shall not exceed three minutes, except by consent of the Council.
- 11.14 An amendment shall be either:-
- 11.14.1 To leave out words;
  - 11.14.2 To add words
  - 11.14.3 To leave out words and add other words.
- Any amendments shall, if required by the Mayor/Chairman, be reduced to writing and handed to the Mayor/Chairman, who shall determine the order in which they are considered
- 11.15 An amendment shall not have the effect of negating the motion before the Council.
- 11.16 If an amendment is carried, the amended motion shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.
- 11.17 A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
- 11.18 The mover of a motion or of an amendment shall have a right to reply not exceeding 3 minutes.
- 11.19 A member, other than the mover of a motion, shall not, without leave of the Council speak more than once on any motion, 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 the closure.
- 11.20 A member may rise to make a point of order or personal explanation. A member making a point of order shall identify the standing order which he/she considers has been breached or specify the irregularity in the proceedings of the meeting he/she is concerned about. A personal explanation shall be confined to some material part of

a former speech by him/her which may have been misunderstood. A member rising for these purposes shall be heard forthwith.

11.21 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.

11.22 When the motion is under debate, no other motion shall be moved except the following: -

- 11.22.1 To amend the motion;
- 11.22.2 To proceed to the next business;
- 11.22.3 To adjourn the debate;
- 11.22.4 That the question be now put;
- 11.22.5 That a member (named) be not further heard;
- 11.22.6 That a member (named) do leave the meeting;
- 11.22.7 That the motion be referred to a Committee;
- 11.22.8 To exclude the public and press;
- 11.22.9 To adjourn the meeting;
- 11.22.10 To suspend particular standing order(s) excepting those which reflect mandatory statutory regulations.

## **12. CLOSURE**

12.1 At the end of any speech a member may, without comment, move “that the question be now put” or “that the debate be now adjourned” or “that the Council does now adjourn”. If such a motion is seconded and if the Mayor/Chairman is of the opinion that the question before the Council has been debated sufficiently (but not otherwise) he shall forthwith put the motion.

12.2 If the motion “that the question be now put” is carried, s/he shall call upon the mover to exercise or waive his/her right of reply and shall put the question immediately after that right has been exercised or waived. The adjournment of a debate or of the Council shall not prejudice the mover’s right of reply at the resumption.

12.3 The ruling of the Mayor/Chairman as to the construction or application of any of these Standing Orders or as to any proceedings of the Council shall not be challenged at any meeting of the Council.

## **13. DISORDERLY CONDUCT**

13.1 All members of the Council must observe the Code of Conduct which was adopted by the Council on 12<sup>th</sup> July 2012 a copy of which is appended to these Standing Orders.

13.2 No member shall, at a meeting, persistently disregard the ruling of the Mayor/Chairman, wilfully obstruct business, or behave irregularly, offensively, improperly or in such a manner as to bring the Council into disrepute.

13.3 If, in the opinion of the Mayor/Chairman, a member has broken the provisions of paragraph 13.2 above, the Mayor/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.

- 13.4 If either of the motions mentioned in paragraph 13.3 is disobeyed, the Mayor/Chairman may adjourn the meeting or take such further steps as may reasonably be necessary to enforce them.

#### **14. MOTION MOVED WITHOUT NOTICE**

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

- 14.1 Appointment of a Chairman of the meeting at which the motion is made;
- 14.2 Motions relating to the accuracy of the Minutes of the previous meeting;
- 14.3 That an item of business specified in the summons has precedence;
- 14.4 The referral of a matter to a Committee;
- 14.5 Appointment of a Committee or members thereof, occasioned by an item mentioned in the summons to the meeting;
- 14.6 That leave be given to withdraw a motion;
- 14.7 Extending the time limit for speeches;
- 14.8 Amendments to motions;
- 14.9 That the Council proceeds to the next business;
- 14.10 That the question be now put;
- 14.11 That the debate be now adjourned;
- 14.12 That the Council does not adjourn;
- 14.13 Authorising the sealing of documents by way of signature of the Mayor and Deputy Mayor;
- 14.14 Suspending Standing Orders, in accordance with Standing Order 35.1;
- 14.15 Motion under Section 1(2) of the Public Bodies (Admission to Meetings) Act 1960, to exclude the public;
- 14.16 That a member named be not further heard or do leave the meeting;
- 14.17 Giving consent of the Council where its consent is required by these Standing Orders.

#### **15. MOTIONS MOVED WITH NOTICE**

- 15.1 Notice of every motion (other than a motion which may be moved without notice under Standing Order 14) shall be given in writing, signed by the member or members of the Council giving the notice of motion, and delivered to the Town Clerk at least seven (7) clear days before the next meeting of the Council.
- 15.2 The Town Clerk shall date and number each motion in the order in which it was received and enter it in a book, which shall be open to the inspection of every member of the Council.
- 15.3 If the Town Clerk considers the wording of a motion received in accordance with standing order 15.1 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 in clear and certain language at least seven (7) clear days before the meeting.
- 15.4 The Town Clerk shall set out in the summons for every meeting of the Council all motions of which notice has been duly given in the order in which they have been

received, unless the member giving such a notice intimated in writing when giving it that he proposed to move it at some later meeting, or has withdrawn it in writing.

- 15.5 Any motion thus set out in the summons which is not moved either by a member who gave notice thereof or by some other member on his behalf shall, unless postponed by consent of the Council, be treated as withdrawn and shall not be moved without fresh notice.
- 15.6 If the subject matter of any motion of which notice has been duly given comes within the province of any Committee or Committees, it shall, upon being moved and seconded, stand referred without discussion to such Committee or such other Committee as the Council may determine, for consideration and report. Provided that the Mayor/Chairman may, if considering it to be a matter of urgency, allow the motion to be dealt with at the meeting at which it was moved.
- 15.7 Every motion and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area or its residents.
- 15.8 If the Town Clerk receives notice of motion and has doubt as to the propriety of inserting it in the summons, it shall be submitted to the Mayor/Chairman who, if of the opinion that the motion is vexatious, scurrilous or otherwise improper, may direct such notice to be returned with an intimation that it will not be inserted in the summons, and the Town Clerk shall return the same accordingly.
- 15.9 Every motion rejected in accordance with the Council's Standing Orders shall be duly recorded by the Town Clerk, with a note giving reasons for its rejection, in a book kept for that purpose, which shall be open to inspection by all councillors.
- 15.10 Having consulted the Mayor/Chairman pursuant to standing order 15.8 above, the decision of the Town Clerk as to whether or not to include the motion in the agenda shall be final.

## 16. **RESCISSION OF PREVIOUS RESOLUTION**

- 16.1 No motion to rescind any resolution (whether affirmative or negative) passed within the preceding six months and no motion or amendment to the same effect as one which has been rejected within the preceding six months, shall be proposed unless the notice thereof bears the names of at least eight (8) members of the Council.
- 16.2 When any such motion or amendment has been disposed of by the Council, it shall not be open to any member to propose a similar motion within a further period of six months;
- 16.3 This Standing Order shall not, however, apply to motions moved in pursuance of a recommendation of a Committee.

## **17. QUESTIONS**

- 17.1. A member of the Council may ask the Chairman of a Committee any question on any report item of a Committee submitted to the Council, whether for confirmation or for report.
- 17.2 A member of the Council may: -
- 17.2.1 If notice in writing has been given to the Town Clerk at least seven clear days before the next meeting of the Council, ask the Mayor or the Chairman of any Committee any question or any matter in relation to which the Council has powers or duties or which affects the Town; and
- 17.2.2 With the permission of the Mayor/Chairman, put to him, or to the Chairman of any Committee any question relating to urgent business of which such notice has not been given, but a copy of any such question shall be delivered to the Town Clerk not later than two o'clock in the afternoon of the day of the meeting.
- 17.3. Every question shall be put and answered without discussion but the person to whom a question has been put may decline to answer.
- 17.4 When a reply has been given to a question and the Mayor, on the request of the member who asked the question, considers that the reply requires amplification, the member may ask a further question. Except as herein provided, no supplementary questions may be asked.
- 17.5 Where a question is asked under Standing Order 17 and the desired information is contained in any of the Council's publications, it shall be deemed sufficient reply to refer to that publication.

## **18. APPOINTMENT OF COMMITTEES**

- 18.1 The Council shall, following the Annual Meeting, appoint Standing Committees as specified in Standing Order 19 and may at any time appoint such other Committees as are necessary but, subject to any statutory provision on that behalf:-
- 18.1.1 Shall not appoint any member of the Committee so as to hold office later than the next Annual Meeting, and
- 18.1.2 May, subject to Standing Order 14, at any time dissolve or alter the membership of a Committee;
- 18.1.3 Shall determine their terms of reference;

## **19. MEMBERSHIP OF STANDING COMMITTEES**

- 19.1 The following Committees shall be the Standing Committees of the Council and shall consist of the number of members indicated.

<b>Committee</b>	<b>No of Members</b>
Revenue & Resources	8*
Amenities	8
Planning	8

\* (including the Chairmen of other Standing Committees)

- 19.2 The Mayor and Deputy Mayor shall be included as ex-officio members of every Committee with voting rights unless they decline to serve, in which case another member of the Council will be appointed in their place.

## **20. QUORUM**

- 20.1 The Quorum for meetings of Committees and any Sub Committee with delegated powers shall be three. For meetings of Sub Committees/Working Parties without delegated powers the Quorum shall be two.
- 20.2 The minimum number required for delegated decision making by a Committee or Sub Committee shall be three, e.g. Planning Site Visits, generally comprising the Mayor/Chairman, Deputy Mayor/Deputy Chairman, and a spokesperson for the minority party.

## **21. VOTING**

- 21.1 Standing Order 6 shall also apply to meetings of Committees and Sub Committees, save that references to “the Mayor” shall be changed to “the Chairman of the meeting”.

## **22. ORDER OF BUSINESS FOR COMMITTEES AND SUB-COMMITTEES**

- 22.1 At its first meeting, the first business of every Committee and Sub Committee shall be to elect a Chairman, and, if desired, a Vice Chairman, who shall hold office until the next Annual Meeting of the Council.
- 22.2 At every meeting other than the first meeting, the first business shall be to elect a Chairman for the meeting if the Chairman and Vice Chairman are absent.
- 22.3 After the first business has been completed, the order of business shall be as follows: -
- 22.3.1 Apologies for Absence
  - 22.3.2 Declarations of Members’ Interests
  - 22.3.3 After consideration, to approve the signature of the Minutes by the presiding Chairman as a correct record;
  - 22.3.4 To dispose of any business remaining from the last meeting;
  - 22.3.5 To consider any motions referred from the Council or from another Committee;

22.3.6 To receive the Minutes of any Sub Committees;

22.3.7 To deal with any other business specified in the summons of the meeting.

## **23. RULES OF DEBATE FOR COMMITTEES AND SUB-COMMITTEES**

23.1 Standing Orders 11, 12 and 13 shall apply to Committee and Sub Committee meetings save that references to “the Mayor” and “the Council” shall be changed to references to “the Chairman of the meeting” and “the Committee” as appropriate.

## **24. MEETINGS**

24.1 Meetings of the Standing Committees of the Council shall be held in accordance with the calendar of meetings, approved by the Council from time to time.

24.2 Extraordinary meetings of a Standing Committee may be called by the Chairman of that Committee at any time. The summons to an Extraordinary meeting shall set out the business to be considered and no other business shall be transacted at that meeting.

*NB. All members will be sent the front sheet of the Agenda/Letter summoning meetings of Sub Committees and Working Parties but not the supporting papers. Any member requiring the supporting papers for a particular Agenda must contact the Town Clerk and request a set of the papers.*

## **25. APPOINTMENT OF SUB COMMITTEES AND WORKING GROUPS/PARTIES**

25.1 Every Standing Committee may appoint Sub Committees or Working Groups/Parties for purposes to be specified by the Committee.

25.2 The Chairman and Vice Chairman of the Committee shall be a member of every Sub Committee or Working Party/Group appointed by it, unless they decline to serve.

## **26. PRESENCE OF NON MEMBERS OF COMMITTEES AT COMMITTEE MEETINGS**

26.1 Any member of the Council shall, unless the Council otherwise orders, be entitled to be present as a spectator at the meetings of any Committee or Sub Committee or Working Group of which he is not a member, and may, if the Chairman so permits, speak but not vote on a specific matter or matters under consideration.

26.2 A member who has proposed a motion which has been referred to any Committee of which he is not a member, may explain his motion to the Committee, but shall not vote.

## **27. DISCUSSIONS AND MOTIONS AFFECTING EMPLOYEES OF THE COUNCIL**

27.1 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 resolved that the public shall be excluded.

## **28. ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS**

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

**“Members of the public and press are requested to leave the meeting to allow discussion of establishment, property and finance matters, as it is considered publicity would be prejudicial by reason of the confidential nature of the business to be transacted.”**

**28.2 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.**

28.3 If a member of the Press or Public interrupts the proceedings at any meeting, the Mayor/Chairman may, after warning, order that he/she be removed from the Council Chamber and/or that the part of the Chamber open to the public be cleared.

28.4 Photographing, recording, broadcasting or transmitting the proceedings of a meeting is permitted in accordance with statute and the Council's policy.

## **29. CONFIDENTIAL BUSINESS**

29.1 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, or which they believe, or ought to be aware, is of a confidential nature.

29.2 The contents of any document or report which may be circulated to any member or members of the Council and which is marked “Private and Confidential” shall not be disclosed to any other person or persons. Such documents will usually be on buff paper.

29.3 Provided that the Town Clerk, having consulted with the Mayor and, where appropriate, with any Committee Chairman, may agree to disclose the contents of any such document or report or any part thereof at any time when, in his/her opinion, there is no longer any need for the document or report to be treated as private and confidential.

## **30. INSPECTION OF DOCUMENTS**

30.1 A member may for the purpose of his 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.

30.2 All Minutes kept by the Council and by any Committee shall be open for the inspection by any member of the Council.

30.3 The Minutes of the Council shall be open to inspection by any local government elector of the Town without charge.

30.4 All other documents of the Council shall be open to inspection in accordance with

the Publication Scheme adopted by the Council under the Freedom of Information Act 2000.

### **31. UNAUTHORISED ACTIVITIES**

- 31.1 A member of the Council shall not, in respect of any works, operations or activities which are being carried out by any officers or servants of the Council or by any persons whatsoever on behalf of the Council, issue any order in connection with or interfere in any way therewith, or claim by virtue of his membership of the Council any right to inspect or to enter upon any land or premises which the Council has the power or duty to inspect or enter.

### **32. CODE OF CONDUCT AND INTERESTS**

- 32.1 Members of the Council shall be bound by the Code of Conduct adopted by Royal Wootton Bassett Town Council on 12<sup>th</sup> July 2012. The Code is attached as Appendix A to these Standing Orders. If a member has an interest and/or pecuniary interest as defined by the Code of Conduct then s/he shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required. Such disclosures will be recorded in the Minutes of the meeting.
- 32.2 If a member who has declared an interest then considers the interest to be pecuniary, s/he must not participate in any discussion of, vote on, or discharge any function related to the matter as defined by regulations made by the Secretary of State in accordance with paragraph 12 of the Code of Conduct adopted by the Council on 12<sup>th</sup> July 2012.
- 32.3 The Town Clerk will be required to compile and hold a Register of Member's Interests, or a copy thereof, and in accordance with agreement reached with the Monitoring Officer of the Unitary Authority and/or as required by Statute.

### **33. CANVASSING OF AND RECOMMENDATIONS BY MEMBERS**

- 33.1 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, s/he and the person to whom s/he is related shall disclose the relationship in writing to the Town Clerk. A candidate who fails to do so shall be disqualified for such appointment and if appointed, may be dismissed. The Town Clerk shall report to the Council or to the appropriate Committee or Sub Committee any such disclosure. Where relationship to a member is disclosed, the Standing Orders on interests of members in contracts and other matters shall apply.
- 33.2 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 Town Clerk shall make known the content of this sub-paragraph of this Standing Order to every candidate.
- 33.3 A member of the Council shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but nevertheless, a member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for employment.

33.4 Standing Order 33 and its component parts shall apply to tenders as if the person making the tender were a candidate for any appointment.

#### **34. SEALING OF DOCUMENTS**

34.1 A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution of the Council.

34.2 The Mayor and Deputy Mayor may on behalf of the Council seal by signature any document required by law to be issued under seal.

#### **35. VARIATION, REVOCATION OF STANDING ORDERS**

35.1 Any part of the Standing Orders **except those in bold text** may be suspended by resolution in relation to any specific item of business.

35.2 A motion permanently to vary or revoke a Standing Order shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council, except that a recommendation of the Finance and General Purposes Committee, to permanently vary or revoke a Standing Order, shall, if adopted by the Council, have immediate effect.

#### **36. LIAISON WITH UNITARY COUNCILLORS**

36.1 A notice of meetings shall be sent to the Unitary Councillors for the Wards of the Parish of Royal Wootton Bassett.

36.2 Unless the Council otherwise orders, a copy of each letter ordered to be sent to the Unitary Council shall be transmitted to the Unitary Councillors for the Wards of the Parish of Royal Wootton Bassett.

#### **37. DELEGATED POWERS**

37.1 Without prejudice to the Town Clerk's general managerial responsibilities, and save as provided in the Scheme of Delegation, no group of Members, individual Member or Officer shall have delegated power to take decisions on behalf of the Council..

37.2 The Council may at any time delegate its authority to deal with any particular matter under consideration to:

37.2.1 A Committee or to a Sub-committee **or**

37.2.2 To the Town Clerk.

#### **38. TENDERS AND CONTRACTS**

38.1 Standing Order 33 and its component parts shall apply to tenders and contracts for work as if the person making the tender or applying for a contract for work were a candidate for an appointment.

38.2 The Town Clerk shall record in a book to be kept for the purpose, particulars of any notice given by any member or any officer of the council of a prejudicial interest in a contract or tender, and the book shall be open during reasonable hours of the day for inspection by any member.

39.2 All tenders and contracts shall be dealt with in accordance with Financial Regulations.

### **39. PLANNING APPLICATIONS**

39.1 Every planning application notified to the Council shall be considered in accordance with the Scheme of Delegation adopted by the Council

### **40. COMPLAINTS PROCEDURE**

40.1 The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or member in the manner outlined in the Council's adopted Complaints Procedure.

### **41. RECORD OF ATTENDANCE AT MEETINGS**

41.1 The Town Clerk shall maintain a Record of Attendances in respect of meetings of the Council and of its Committees and Sub committees.

41.2 This record of attendance shall be reported to the Council at the Annual Meeting.

### **42. DISTRIBUTION AND CONSTRUCTION OF STANDING ORDERS**

42.1 A printed copy of these Standing Orders, and Appendices, shall be given to each member by the Town Clerk upon delivery to the Town Clerk of the Member's Declaration of Acceptance of Office. The Appendices consist of the following documents:

- Appendix A – Members' Code of Conduct
- Appendix B – Financial Regulations
- Appendix C – Scheme of Delegation
- Appendix D – Town Clerk Job Description

42.2 The ruling of the Mayor/Chairman as to the construction or application of any of these Standing Orders, or as to any proceedings of the Council, shall not be challenged at a meeting of the Council. A councillor's failure to observe Standing Orders more than 3 times in one meeting may result in him/her being excluded from the meeting in accordance with Standing Orders.

### **43. FINANCIAL REGULATIONS**

43.1 These Standing Orders shall be read in conjunction with the Councils Financial Regulations, as amended from time to time, and appended to these Standing Orders as Appendix B.

43.2 The Councils Financial Regulations govern the conduct of financial matters of the Council and are an integral part of the Councils Standing Orders.