

STANDING ORDERS

REVIEWED AND APPROVED BY
SEALAND COMMUNITY COUNCIL
ON 20th JANUARY 2014.

BASED ON THE NALC MODEL FORMAT
AS PROVIDED BY ONE VOICE WALES

**SEALAND COMMUNITY COUNCIL
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1 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 reasonable cost.

- b** When calculating the **3 clear days** for notice of a meeting to councillors and the public, the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning shall not count.
- c** Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of the meeting shall be by a resolution which shall give the reasons for the public's exclusion.
- d** Subject to Standing Order 1(c) above, members of the public are permitted to speak or ask a question or make a statement which must relate to an item on the agenda during the public enquiry item which will be the second on the agenda after Apologies for Absence of every Ordinary Council meeting, but not the Annual or Special meetings.
- e** The period of time designated for public participation shall last for 5 minutes, with the Chairman having discretion to extend it to 10 minutes and after the Public Enquiry item has been dealt with no member of the public may speak again unless invited to do so by the Chairman for a particular item to enable clarification.
- f** In accordance with Standing Order 1(d) above there will be no comment or questions permitted on the information given by members of the public, but Councillors may refer to what was said when the appropriate item is reached on the agenda.
- g** If a number of members of the public are attending for the same item on the agenda then a spokesperson is to be appointed to speak on their behalf, with the Chairman having discretion to allow another to speak providing it is to provide more information on the same item, bearing in mind the time restriction in Standing Order 1 (e).
- h** Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's prior consent.
- i** In accordance with Standing Order 1(c) above, the press shall be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.
- j** Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman may in his or her absence be done by, to or before the Vice-Chairman.

- k** 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 Vice-Chairman are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.
- l** Subject to a model standing order 1(s) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.

- m** The Chairman may give an original vote on any matter put to the vote and in the case of an equality of votes may exercise his or her casting vote whether or not he or she gave an original vote.
- n** Unless standing orders provide otherwise, voting on any question shall be by a show of hands. At the request of a Councillor, the voting on any question shall be recorded so as to show whether each Councillor present and voting gave his or her vote for or against that question. Such a request shall be made before the motion is put to the meeting.
- p** The minutes of a meeting shall record the names of councillors present and apologies if received.
- o** The code of conduct adopted by the Council shall apply to councillors in respect of the entire meeting.
- q** An interest arising from the code of conduct adopted by the Council, the existence and nature of which is required to be disclosed by a Councillor at a meeting shall be recorded in the minutes.
- r** 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 **5**.
- s** If a meeting becomes inquorate no business shall be transacted and the meeting shall be adjourned.
- t** Meetings shall not exceed a period of two and half hours.

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2 ORDINARY COUNCIL MEETINGS

- 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 the Council shall be held on **third Monday in the month at 6.30 pm** in May.
- c** In addition to the annual meeting of the Council, other ordinary meetings will normally be held on the **third Monday in the month at 6.30pm** apart from August when there will be a recess.
- d** The election of a Chairman and appointment of a Vice Chairman of the Council shall be the first business completed at the annual meeting of the Council.

- e The Chairman of the Council, unless she or she has resigned or becomes disqualified, shall continue in office and preside at the annual meeting of the Council.
- f The Vice-Chairman of the Council, unless he or she has resigned 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.
- g In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he or she 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 he or she must give a casting vote in the case of an equality of votes.
- h In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he or she shall preside at the meeting until a successor Chairman of the Council has been elected. He or she may exercise an original vote in respect of the election of the new Chairman of the Council, but he or she must give a casting vote in the case of an equality of votes.
- i Following the election of the Chairman of the Council and appointment of a Vice Chairman at the annual meeting of the Council, the order of business shall be as follows:
 - i In an election year, to decide when any declaration of acceptance of office which has not been received from any councillor as provided by law shall be received.
 - ii Appointment of representatives on outside bodies.
 - iii Confirmation of accuracy of the minutes from the last Council meeting.
 - iv Any other business due to be considered at a May Council meeting.

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3 PROPER OFFICER

- a The Council's Proper Officer shall be the Clerk or such other person appointed by the Council to undertake the role of the Proper Officer during the Proper Officer's absence. The Proper Officer and the person appointed to act as such during the Proper Officer's absence shall fulfil the duties assigned to the Proper Officer in standing orders.
- b The Council's Proper Officer shall do the following:
 - i Sign and serve on councillors by delivery or post at their residences or other notified address, a summons confirming the time, date, venue and agenda of a meeting of the Council at least **3 clear days** before the meeting.
 - ii Give public notice of the time, date and venue on the Council's notice boards and website at least **3 clear days** before a Council meeting and ensure an agenda is available for those attending the meeting. A

public notice with agenda for an extraordinary meeting of the Council convened by councillors shall be signed by them.

- iii Subject to standing orders 4(a)-(e) below, include in the agenda all the motions in the order received unless a Councillor has given written notice at least **10 days** before the meeting confirming withdrawal of it.
- iv Convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his or her office, in accordance with standing order 3(b)i).
- v Make available for inspection the minutes of meetings.
- vi Receive and retain copies of byelaws made by other local authorities.
- vii Receive and retain councillors declarations of acceptance of office.
- viii Retain a copy of every councillor's register of interests, any changes to it and keep copies of the same available for inspection.
- ix Process all requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council's procedures relating to the same.
- x Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
- by xi Manage the organisation, storage of and access to information held the Council in paper and electronic form.
- xii Arrange for legal deeds to be signed by 2 councillors and witnessed.

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- xii Arrange for the prompt authorisation, approval and instruction of any payments to be made by the Council in accordance with the Council's financial regulations.
- xiii To report planning applications received to the next available Council meeting including those dealt with under either the agreed recess or on-line consultation procedures and the minutes to include the number of the application, the place to which it relates, the proposal and the decision taken by or on behalf of the Council.
- xxv Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.

4 MOTIONS REQUIRING WRITTEN NOTICE

- a In accordance with standing order 3(b)(iii) above, no motion may be moved at a meeting unless it is included in the agenda and the mover has given written notice of its wording to the Council's Proper Officer at least **10 clear days** before the next meeting.

b The Proper Officer may, before including a motion in the agenda received i n accordance with standing order 4(a) above, correct obvious grammatical or typographical errors in the wording of the motion.

c If the Proper Officer considers that the wording of a motion received in accordance with standing order 4(a) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer in clear and certain language at least **10 clear days** before the meeting.

d If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer 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 or rejected in the agenda.

e. Having consulted with the Chairman or councillors pursuant to standing order 4(d) above, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.

f 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.

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5 MOTIONS NOT REQUIRING WRITTEN NOTICE

a Motions in respect of the following matters may be moved without w r i t t e n notice:

- i** To appoint a person to preside at the meeting.
- ii** To approve the accuracy of the minutes of the previous meeting.
- iii** To correct an inaccuracy in the minutes of the previous meeting.
- iv** To dispose of business, if any, remaining from the last meeting.
- v** To alter the order of business on the agenda for reasons of urgency or expedience.
- vi** To proceed to the next business on the agenda.
- vii** To close or adjourn a debate.
- viii** To delegate a matter to a committee, a sub-committee or the Clerk.
- ix** To appoint (including substitutes), receive nominations for or dissolve a committee or sub-committee.
- x** To note the minutes of a meeting of a committee or sub-committee.

- xi To consider a report and/or recommendations made by a committee or sub-committee or the Clerk.
- xii To consider a report and/or recommendations made by professional advisor, expert, consultant or the Clerk.
- xiii To authorise legal deeds be signed by two councillors and witnessed.
- xiv Amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
- xv To exclude the public and press for all or part of the meeting.
- xvi To silence or exclude from the meeting a Councillor or member of the public for disorderly conduct.
- xvii To suspend any standing order except those which are mandatory by law.

b. If a motion falls within the terms of reference of a committee or sub-committee, a referral of the same may be made to such committee or sub-committee provided that the Chairman may direct for it to be dealt with at the present meeting for reasons of urgency or expediency.

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6 RULES OF DEBATE

a Motions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Chairman's direction for reasons of expedience.

b Subject to standing orders 4(a)-(e) above, a motion shall not be considered unless it has been proposed and seconded.

c Subject to standing order 3(b)(iii) above, a motion included in an agenda not moved by the Councillor who tabled it, may be treated as withdrawn.

d A motion to amend an original or substantive motion shall not be considered unless proper notice has been given after the original or substantive motion has been seconded and notice of such an amendment, shall if required by the Chairman, be reduced to writing and handed to the Chairman who shall determine the order in which they are considered.

e A Councillor may move amendments to his own motion. If a motion has already been seconded, an amendment shall be at the consent of the seconder.

f Any amendment to a motion shall be either to leave out words, to add words or to leave out and add words.

g A proposed or carried amendment shall not have the effect of rescinding the original or substantive motion under consideration.

h Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman. No further amendment to a motion shall be moved until the previous amendment has been disposed of.

i Subject to standing order 6(h) above, one or more amendments may be discussed together if the Chairman considers it expedient, but shall be voted on separately.

j Pursuant to standing order 6(h) above, the number of amendments to an original or substantive motion, which may be moved by a councillor, is limited to one.

k If an amendment is not carried, other amendments shall be moved in the order directed by the Chairman.

l If an amendment is carried, the original motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.

m The mover of a motion or the mover of an amendment shall have the right of reply, not exceeding **5 minutes**.

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n Where a series of amendments to an original motion are carried, the mover of the original motion shall have the right of reply in respect of the substantive motion at the very end of the debate and immediately before it is put to the vote.

o Subject to standing order 6(m) and (n) above, a councillor may not speak further in respect of any one motion except to speak once on an amendment moved by another councillor or make a point or order or to give a personal explanation.

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 irregularity in the meaning he is concerned by.

q A point or order shall be decided by the Chairman and his decision shall be final.

r With the consent of the seconder and/or the meeting, a motion or amendment may be withdrawn by the proposer. A councillor shall not speak upon the said motion or amendment unless permission for the withdrawal of the motion or amendment has been refused.

s Subject to standing order 6(c) above, when a councillor's motion is under debate no other motion shall be moved except:

- i** to amend the motion;
- ii** to proceed to the next business;
- iii** to adjourn the debate;
- iv** to put the motion to a vote;

- v to ask a person to be silent or for him or her 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;
- ix to suspend any standing order, except those which are mandatory.

t In respect of standing order 6(s)(iv) above, the chairman shall first be satisfied that the motion has been sufficiently debated before it is seconded and put to the vote. The Chairman shall call upon the mover of the motion under debate to exercise or waive his or her right of reply and shall put the motion to the vote after that right has been exercised or waived. The adjournment of a debate or of the meeting shall not prejudice the mover's right of reply at the resumption.

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7 CODE OF CONDUCT

- a** All councillors shall observe the code of conduct adopted by the Council.
- b** Councillors may exercise rights contained in standing order 7(c) below, only if members of the public are permitted to (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted.
- c** Councillors who have a prejudicial interest in relation to any item of business being transacted at that meeting may (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted, but must, thereafter, leave the room.

8 QUESTIONS

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

9 MINUTES

- a** The only discussion on the minutes of a preceding meeting shall relate to their accuracy, to receive any updates from the Clerk and for councillors to request or impart further information. A motion to correct an inaccuracy in the minutes shall be raised in accordance with standing order 5(a)(iii) above.
- b** Minutes shall be confirmed by resolution and be signed by the Chairman of the meeting and stand as an accurate record to which the minutes relate.
- c** Upon a resolution which confirms the accuracy of the minutes of a meeting, any previous draft minutes or recording of the meeting shall be destroyed.

10 DISORDERLY CONDUCT

- a** No person shall obstruct the transaction of business at a meeting or behave offensively or improperly.
- b** If, in the opinion of the Chairman, there has been a breach of standing order 10(a) above, the Chairman shall express that opinion and thereafter any councillor (including the Chairman) may move that the person be silenced or excluded from the meeting and the motion, if seconded, shall be put forthwith and 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 be reasonably be necessary to enforce it and/or he or she may adjourn the meeting.

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11 RECISSION OF PREVIOUS RESOLUTION

- a** A resolution (whether affirmative or negative) of the Council shall not be reversed within **6 months** except by a special motion, the written notice where of bears the names of at least **6 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 **2 persons** have been nominated for a position to be filled by the Council and none of the 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. The 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 EXPENDITURE

- a** Any expenditure incurred by the Council shall be in accordance with the Council's Financial Regulations.
- b** The Council's Financial Regulations shall be reviewed in each election year after the new Council has been elected.
- c** The Council's Financial Regulations may make provision for the authorisation of any payment of money in exercise of any of the Council's functions to be delegated to a committee or sub-committee.

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 Proper officer shall witness their signatures.

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15 COMMITTEES

- a The Council may at its annual meeting, appoint standing committees and may at any other time appoint such committees as may be necessary, and :
 - i shall determine its terms of reference;
 - ii may permit committees to determine the dates of their meetings;
 - iii shall appoint and determine the term of office of a 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 to replace ordinary councillors at a meeting of the committee if ordinary councillors of the committee have confirmed to the Proper Officer **10 clear days** before the meeting that they are unable to attend;
 - v an ordinary member of a committee who has been replaced at a meeting by a substitute member (in accordance with standing order 15(a)(iv) above shall not be permitted to participate in a debate or vote on business at that meeting and may only speak during any public session during the meeting;
 - vi may in accordance with standing orders, dissolve a committee at any time.

16 SUB-COMMITTEES

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

17 EXTRAORDINARY MEETINGS

- 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 **7 days** of having been requested to do so by two councillors, those two may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two councillors.

c The Chairman of a committee (or a sub-committee) may convene an extraordinary meeting of the committee or sub-committee) at any time.

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18 ADVISORY COMMITTEES

a The Council may appoint advisory committees comprised of a number of councillors and non-councillors.

b Advisory committees and any sub-committees may consist wholly of persons who are non-councillors.

19 ACCOUNTS AND FINANCIAL STATEMENT

a All payments made by the Council shall be authorised, approved and paid in accordance with Financial Regulations with the details included in the minutes of the meeting authorising including the cheque number and expenditure powers.

b The Council's Financial Regulations shall be reviewed annually.

c The Responsible Financial Officer shall supply to each councillor as soon as practicable after 31 March, 30 June, 30 September and 31 December in each year a bank reconciliation statement and also summarising the receipts and payments and balances for each quarter. The statement should also include a comparison with the budget for the financial year.

d A financial statement prepared on the receipts and payments accounting basis for a year to 31 March shall be presented to each councillor before the end of the following month of May.

e The Annual Return required by External Audit shall be presented to Council for the draft and formal approval of the accounts and governance statement in accordance with the Accounts and Audit Regulations.

20 ESTIMATES/PRECEPTS

a The Council shall approve written estimates prepared by the Responsible Financial Officer for the coming financial year at the January meeting.

b At the January meeting the Council will determine its precept needs for the coming financial year for serving on Flintshire County Council within their prescribed time-scale.

21 CANVASSING OF AND RECOMMENDATIONS BY COUNCILLORS

- a** Canvassing councillors or a member of a committee or sub-committee, directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such an appointment. The Proper Officer shall disclose the requirements of this standing order to every candidate.
- b** A councillor or a member of a committee or sub-committee shall not solicit a person for appointment to or by the Council or recommend a person for 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** The 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 or her official duties (but not otherwise) inspect any document in the possession of the Council or a committee or sub-committee and request a copy for the same purpose. The minutes of meetings of the Council, its committees or sub-committees shall be available for inspection by councillors.

23 UNAUTHORISED ACTIVITIES

- a** Unless authorised by resolution, no individual councillor shall in the name of or on behalf of the Council, a committee or sub-committee:

 - i** inspect any land and/or property which the Council has a right or duty to inspect; or
 - ii** issue orders, instructions or directions.

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 sub-committee by a resolution of the Council.

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25 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(c) above.
- b** Subject to the Council's policy regarding absences from work, the Clerk shall notify the Chairman or, in his absence the Vice-Chairman of any absence occasioned by illness or urgency and that person shall report such absence to the Council at its next meeting.
- c** Subject to the Council's policy regarding the handling of grievance matters, the Clerk shall contact Chairman or, in his absence the Vice-Chairman in respect of an informal or formal grievance matter.
- d** Subject to the Council's policy regarding the handling of grievance and disciplinary matters, if an informal or formal grievance matter raised by the Clerk relates to the Chairman or Vice-Chairman this shall be reported to a n o t h e r member.
- e** The Council shall keep written records relating to an employee secure. All paper records shall be secured under lock and key and electronic records shall be password protected.
- f** Records detailing 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.
- g** Access and means of access by keys and/or computer passwords to records of employment referred to in standing order 26(e) and (f) above shall be provided only to the Clerk and Chairman of the Council.

26 FREEDOM OF INFORMATION ACT 2000

- 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.
- b** Correspondence from and notices served, by the Information Commissioner shall be referred by the Proper Officer to the Chairman of the Council and reported to the next meeting. The Proper Officer shall ensure compliance with the legislation with particular regard to the response time in respect of freedom of information requests set out under standing order 3(b)(ix).

27 RELATIONS WITH THE PRESS/MEDIA

- a** All requests from the press or media for an oral or written statement or comment from the Council shall be processed by the Clerk in consultation with the Chairman and in his or her absence the Vice-Chairman.
- b** In accordance with standing order 27(a) above councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media purporting to be on behalf of the Council.

28 LIAISON WITH FLINTSHIRE COUNTY COUNCILLORS

- a** In the event of that person not being a member of the Community Council an invitation to attend a meeting of the Council shall be sent, together with the agenda, to the councillor representing its electoral wards.

29 FINANCIAL MATTERS

- a** The Council shall consider and approve Financial Regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - i** the accounting records and system of internal control;
 - ii** the assessment/management of financial 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 inspection by local electors of the Council's accounts.
 - v** procurement policies (subject to standing order 30(b) below) which will include the setting of values for different procedures where the contract has an estimated value of less than £25,000.
- b** Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £25000 shall be procured on the basis of a formal tender as summarised in standing order 30(c) below.
- c** Any formal tender process shall comprise the following steps;
 - i** a public notice of intention to place a contract:
 - ii** a specification of the goods, materials, services and the execution of works shall be drawn up:
 - iii** tenders are to be sent in a sealed marked envelope, to the Proper Officer by a stated date and time:
 - iv** tenders submitted are to be opened, after the stated closing date and time, by the Proper officer and at least one member of the Council.

v. tenders are then to be assessed and reported to the appropriate meeting of the Council.

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- d** The Council is not bound to accept the lowest tender, estimate or quote.
- e** Where the value of a contract is likely to exceed £138,893 (or other threshold specified by the Office of Government Commerce specified 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 these regulations apply, the Council must comply with EU procurement rules.

30 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 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.

31 STANDING ORDERS TO BE GIVEN TO COUNCILLORS

- a** The Proper Officer shall provide a copy of the Council's standing orders to a councillor upon delivery of his declaration of acceptance of office.
- b** The Chairman's decision as to the application of standing orders at meetings shall be final.
- c** A councillor's failure to observe standing orders more than 3 times in one meeting may result in him or her being excluded from the meeting in accordance with standing orders.

