



Llanharan Community Council

Standing Orders

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Statement:

i- The Clerk of the Council and the Project Officer/Assistant Clerk are for the purpose of this document, the Proper Officers of the Council.

ii- The Clerk of the Council is the Responsible Financial Officer.

iii- In the context of these Standing Orders the terms

a) “RFO” refers to the Responsible Financial Officer.

b) “A.G.M.” refers to Annual General Meeting.

c) “the Chair” refers to Chairperson of the Council and or Chairperson of a Committee, Sub-committee, Working Group or any other body that the Council forms to carry out its functions effectively.

d) “the Deputy Chair” refers to Deputy (or Vice) Chairperson of the Council and or Deputy (or Vice) Chairperson of a Committee, Sub-committee, Working Group or any other body that the Council forms to carry out its functions effectively.

e) “RCTCBC” refers to Rhondda Cynon Taff County Borough Council.



1. THE CHAIR.

i- shall have all the powers and responsibilities referred to in these Standing Orders.

ii- shall have the final decision to the interpretation and application of Standing Orders at any meeting and that decision should not be challenged.

iii- shall, unless s/he has resigned, is unwell or unable to attend or becomes disqualified, continue in office and preside at the Annual Meeting until a successor is elected at the next Annual Meeting of the Council.

2. THE DEPUTY CHAIR.

shall, unless s/he has resigned, is unwell or unable to attend or becomes disqualified, continue in office until immediately after the election of the Chair of the Council at the next Annual Meeting of the Council.

3. NOTICE OF THE MEETING.

At least three clear days before the meeting, the Proper Officer shall give:

a) public notice of the date, time, location and the agenda of the meeting duly signed by the Proper Officer, shall be posted on the Council's web site, displayed at the Council's office and displayed on the community notice boards and

b) shall send the summons to attend the meeting detailing the date, time, location and the agenda duly signed by the Proper Officer, by e-mail to each Member, or shall leave at, or send by post to, each Member's usual place of residence.

4. QUORUM

i- No business shall be transacted unless at least three or one third of the whole number of Members of the Council, Committee or Sub-Committee are present at the meeting.

ii- If the meeting becomes inquorate no further business shall be transacted and any outstanding business shall be adjourned to the next or a reconvened meeting.

5. APPROVAL OF MINUTES

i- the Chair shall put the question that the minutes of the Council or Committee or Sub-Committee or Working Group held on a specified date be approved as a correct record.



ii- no discussion shall take place on the minutes, except upon their accuracy and any question on their accuracy shall be raised by motion. If a question is raised, or if it is raised then as soon as it is disposed of, the Chair shall sign the minutes.

iii- If the Chair of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he/she shall sign the minutes and include a paragraph in the following terms or to the same effect: “The Chair of this meeting does not believe that the minutes of the meeting of the () held on [date] in respect of () were a correct record but his view was not upheld by the majority of the () and the minutes are confirmed as an accurate record of the proceedings.”

iv- 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.

6. TAKING OF MINUTES.

6.1. Contents shall record: -

- a)** the names of the Members present
- b)** the notified apologies for absence.
- c)** a brief record of the matters considered.
- d)** All motions and amendments moved under Standing Orders (if any).
- e)** the recommendations and resolutions made

ii- there will be no report of any discussions which are not relevant to the above or the main business of the meeting.

7. CONDUCT

i- Any power or duty of the Chair in relation to the conduct of a meeting shall be exercised by the person presiding at the meeting whose decision shall be final

ii- Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chair shall determine the order of speaking.

iii- Members shall direct their speeches only to the subject under discussion or to a personal explanation on a point of order and any person speaking shall address comments to the Chair

iv- Photographing, recording, broadcasting or transmitting the proceedings of a meeting is not permitted unless there is a legal requirement or agreement by the Council or by the Chair.

8. VOTING.

i- Any matter will be decided by a simple majority of votes by those Members present in the room at the time that the question is put. The Proper Officer will take



the vote by show of hands or by a secret ballot, provided a motion for such a ballot is put before any voting on a matter takes place. If there is no dissent by the affirmation of the meeting.

ii- If there are equal numbers of votes for and against, the Chair will have a second or casting vote. There will be no restriction on how the Chair chooses to exercise a casting vote.

iii- Immediately after a vote has been taken a Member can request and require that their vote be recorded in the minutes to show how the Member voted or abstained.

iv- In the case of a Member being appointed or nominated to any position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be removed from the list and a new vote taken. The process will continue until there is a clear majority for one person. Any tie shall be settled by the Chair's casting vote.

9. THE ANNUAL MEETING.

9.1. In an election year: -

i- The meeting shall be held on or within 14 days following the day on which the new Councillors take office at a location that the Proper Officer deems appropriate to hold such a meeting,

ii- if the current Chair has been re-elected as a Member of the Council and is present, s/he shall preside at the meeting until a new Chair has been elected. S/he may exercise an ordinary vote in respect of the election of a new Chair and must give a casting vote in the case of an equality of votes.

iii- if however the current Chair of the Council has not been re-elected as a Member of the Council and is present, s/he shall preside at the meeting until a successor has been elected and the current Chair shall not have an original vote in respect of the election of the new Chair but shall have a casting vote in the case of an equality of votes.

9.2. In a non-election year: -

i- the meeting shall be held on the third Thursday in May at 6.30pm at a location that the Proper Officer in conjunction with the current Chair deems appropriate to hold such a meeting.

ii- the current Chair shall preside at the meeting until a new Chair has been elected. S/he may exercise an ordinary vote in respect of the election of a new Chair and must give a casting vote in the case of an equality of votes.

9.3. In either an election year or non-election year: -

i- in the absence of the current Chair, the current Deputy Chair will take the Chair until a new Chair is elected.



In the absence of both the current Chair and Deputy Chair, the Proper Officer will conduct the meeting until a new Chair is elected. The Proper Officer will have no voting rights whatsoever.

9.4. Notice of the Meeting: –

Shall be in accordance with *Standing Order 3*.

9.5. Quorum: -

Shall be in accordance with *Standing Order 4*.

9.6. Order of Business: –

i- The following business shall be transacted: -

- a) in an election year, the confirmation by the Proper Officer of the receipt from Members of their Declaration of Acceptance of Office
- b) to note for information purposes, the minutes of the last Annual Meeting of the Council.
- c) to elect a Chair of the Council.
- d) to elect a Deputy Chair of the Council.
- e) to appoint Committees and Working Groups.
- f) to appoint the Chairs to individual Committees and Working Groups.
- g) to appoint representatives to serve on outside bodies.
- h) to agree the Chair of the Council's allowance for the ensuing year.
- i) to agree the Deputy Chairperson's allowance for the ensuing year.
- j) to agree the Senior Member's allowance for the ensuing year.
- k) To set the maximum total of motions required by written notice that can be considered by the Council in the municipal year,
- l) To set the maximum total of motions required by written notice that can be considered by the Council in any one ordinary meeting.
- m) to deal with other matters, where notice in writing has been given to the Proper Officer at least 6 calendar days before the meeting and which, at the discretion of the Proper Officer are appropriate to be considered at the Annual Meeting, otherwise those matters will be subject to Standing Order

ii- Meetings shall not exceed a period of 2 hours 30 minutes unless the majority of Members present vote to extend the meeting.

9.7. Conduct: -

Shall be in accordance with *Standing Order 7*.

9.8. Voting: -

Shall be in accordance with *Standing Order 8*.

10. THE ORDINARY MEETINGS.



10.1. Date, Time and location of a meeting: -

The Council shall, each year, hold eleven meetings for the transaction of its business. These meetings will be held on the 3rd Thursday of every calendar month (excluding the month of August) at 7pm at a location that the Proper Officer in conjunction with the Chair deems appropriate to hold such a meeting and that during the course of the year at least one meeting shall be held within each ward of the Council and the Ynysmaerdy Community Centre.

10.2. Notice of the Meeting: –

Shall be in accordance with *Standing Order 3*.

10.3. Quorum: -

Shall be in accordance with *Standing Order 4*.

10.4. Order of Business: -

i- Except as otherwise provided elsewhere in these Standing Orders, the order of business at the meeting shall be:

- a) To appoint a person to preside at the meeting if the Chair and Deputy Chair fail to attend within 15 minutes of the published start time or are known to be absent or are going to attend more than 15 minutes after the published start time.
- b) To deal with any business required by statute to be done before any other business.
- c) To approve the minutes of the last meeting in accordance with *Standing Order 5*
- d) If the meeting is the first meeting after the A.G.M. then to approve the minutes of the A.G.M. in accordance with *Standing Order 5*.
- e) To deal with any business expressly required by statute to be done
- f) Chair's announcements and reports from the two County Borough Members and other Members of the Council.
- g) To receive and consider reports and recommendations from Committees, Working Groups and Officers.
- h) To consider motions in the order in which they have been received and not withdrawn.
- i) To dispose of any remaining business that is listed on the agenda.
- j) To dispose of business (if any) remaining from the last meeting.

ii- Meetings shall not exceed a period of 2 hours 30 minutes unless the majority of Members present vote to extend the meeting.

10.5. Taking of Minutes: -

Shall be in accordance with *Standing Order 6*.

10.6. Conduct: -

Shall be in accordance with *Standing Order 7*.



10.7. Voting: -

Shall be in accordance with *Standing Order 8*.

11. EXTRAORDINARY MEETINGS.

11.1. The convening of a meeting may be actioned by: -

i- the Chair at any time.

ii- the Chair when s/he receives a written request signed by two members.

iii- any two members of the Council, where such a written request duly signed to call such a meeting is refused by the Chair, or that the Chair, without so refusing, failed to call an extraordinary meeting within seven days after the written request was made.

11.2. Date, Time and Location of a meeting: -

i- the Proper Officer shall, in consultation with the Chair and or the signatories to the notice, decide a date time and location that is deemed appropriate to hold such a meeting.

11.3. Notice of meeting: -

Shall be in accordance with *Standing Order 3*.

11.4. Quorum.

Shall be in accordance with *Standing Order 4*.

11.5. Order of Business: -

i- Except as otherwise provided elsewhere in these Standing Orders, the order of business at the meeting shall be:

- a) To appoint a person to preside at the meeting if the Chair and Deputy Chair fail to attend within 15 minutes of the published start time or are known to be absent or are going to attend more than 15 minutes after the published start time.
- b) To deal with any business expressly required by statute to be done
- c) To receive and consider reports and recommendations from Committees, Working Groups and Officers relevant to the business at hand.
- d) To consider motions in the order in which they have been received and not withdrawn.

ii- Meetings shall not exceed a period of 2 hours 30 minutes unless the majority of Members present vote to extend the meeting.

11.6. Taking of Minutes

Shall be in accordance with *Standing Order 6*.



11.7. Conduct:

Shall be in accordance with *Standing Order 7*.

11.8. Voting:

Shall be in accordance with *Standing Order 8*.

12. COMMITTEES.

12.1. Formation: -

i- The Council may appoint a committee whose terms of reference and membership shall be determined at the A.G.M. or any other time at an ordinary meeting by resolution.

ii- The Council shall determine a committee's terms of reference and scope of work.

iii- The Council shall appoint and determine the terms of office of a Councillor or non-councillor member of such a Committee (unless the appointment of non-councillor is prohibited by law), so as to hold office no later than the next A.G.M.

iv- The Council shall determine the dates of future meetings subject to the Chair of any Committee cancelling a meeting because of lack of business or convening a special meeting to consider urgent business.

v- The Council may dissolve a Committee at any time.

12.2. Date, Time and Location of a meeting: -

i- Unless pre-set by the Council, the date and time shall be decided by the Proper Officer in consultation with the Chair of a Committee at a location that is deemed appropriate to hold such a meeting.

12.3. Notice of meeting: -

Shall be in accordance with *Standing Order 3*.

12.4. Quorum.

Shall be in accordance with *Standing Order 4*.

12.5. Order of Business: -

i- Except as otherwise provided elsewhere in these Standing Orders, the order of business at the meeting shall be:



- a) To appoint a person to preside at the meeting if the Chair and Deputy Chair fail to attend within 15 minutes of the published start time or are known to be absent or are going to attend more than 15 minutes after the published start time.
- b) To deal with any business required by statute to be done before any other business.
- c) To approve the minutes of the last meeting in accordance with *Standing Order 5*
- d) To deal with any business expressly required by statute to be done.
- e) To receive and consider reports and recommendations from Subcommittees, Working Groups and Officers.
- f) To consider motions in the order in which they have been received and not withdrawn.
- g) To dispose of any remaining business that is listed on the agenda.
- h) To dispose of business (if any) remaining from the last meeting.

ii- Meetings shall not exceed a period of 2 hours 30 minutes unless the majority of Members present vote to extend the meeting.

12.6. Taking of Minutes

Shall be in accordance with *Standing Order 6*.

12.7. Conduct:

Shall be in accordance with *Standing Order 7*.

12.8. Voting:

Shall be in accordance with *Standing Order 8*.

13. SUB-COMMITTEES.

13.1. Formation: -

i- Unless there is a Council resolution to the contrary, every Committee may appoint a Sub-Committee whose terms of reference and membership shall be determined by resolution of the Committee.

ii- A Committee may appoint or re-appoint a Sub-Committee at the first meeting after the A.G.M. or any other time at a meeting by resolution.

iii- A Committee may appoint and determine the terms of office of a Councillor or non-councillor member of such a Sub-Committee (unless the appointment of non-councillor is prohibited by law), to hold office no later than the next A.G.M.

iv- A Committee may determine the dates of future meetings subject to the Chair of any Sub-committee cancelling a meeting because of lack of business or convening a special meeting to consider urgent business.



v- a Committee may only dissolve a Sub-Committee that it convened; it may do so at any meeting by resolution.

vi- the Council may dissolve a Sub-Committee at any meeting by resolution.

13.2. Date, Time and Location: -

Unless pre-set by a Committee, the date and time shall be decided by the Proper Officer in consultation with the Chair of the Sub-Committee at a location that is deemed appropriate to hold such a meeting.

13.3. Notice of meeting: -

Shall be in accordance with *Standing Order 3*.

13.4. Quorum.

Shall be in accordance with *Standing Order 4*.

13.5. Order of Business: -

Shall be in accordance with *Standing Order 12.5*.

13.6. Taking of Minutes

Shall be in accordance with *Standing Order 6*.

13.7. Conduct:

Shall be in accordance with *Standing Order 7*.

13.8. Voting:

Shall be in accordance with *Standing Order 6*.

14. ADVISORY AND WORKING GROUPS.

14.1. Formation by the Council or a Committee.

i- The Council may appoint an Advisory or Working Group whose terms of reference, scope and membership comprising of councillors and or non-councillors, at any meeting determined by resolution of the Council.

ii- Unless there is a Council resolution to the contrary, every Committee may appoint an Advisory or Working Group whose terms of reference, scope and membership comprising of councillors and or non-councillors, at any meeting determined by resolution of the Committee.

iii- The Council or a Committee shall determine the terms of office of a Councillor or non-councillor member of such an Advisory or Working Group (unless the appointment of non-councillor is prohibited by law), to hold office no later than the next A.G.M.



iv- The Advisory and Working Groups shall be informal, and their operation shall be outside the scope and requirements of the Local Government (Access to Information) Act and the Council's Standing Orders.

v- A Committee may only dissolve an Advisory or Working Group that it convened, it may do this at any meeting by resolution.

vi- The Council may dissolve an Advisory or Working Group at any meeting by resolution.

14.2. Date, Time and Location: -

i- Unless pre-set by the forming Committee or the Council, the date and time shall be decided by the Proper Officer in consultation with the Chair of the Advisory or Working Group at a location that is deemed appropriate to hold such a meeting.

14.3. Notice of meeting: -

i- Notification to Members shall be decided by the Proper Officer in consultation with the Chair.

14.4. Order of Business: -

i- Except as otherwise provided elsewhere in these Standing Orders, the order of business at the meeting shall be:

- a)** To appoint a person to preside at the meeting if the Chair and Deputy Chair fail to attend within 15 minutes of the published start time or are known to be absent or are going to attend more than 15 minutes after the published start time.
- b)** To deal with any business required by statute to be done before any other business.
- c)** To approve the minutes of the last meeting in accordance with *Standing Order 5*
- d)** To receive and consider reports and recommendations from Subcommittees, other Working Groups and Officers.
- e)** To dispose of any remaining business that is listed on the agenda.
- f)** To dispose of business (if any) remaining from the last meeting

ii- Meetings shall not exceed a period of 2 hours 30 minutes unless the majority of Members present vote to extend the meeting.

14.5. Taking of Minutes:

Shall be in accordance with *Standing Order 6*.

14.6. Conduct:

Shall be in accordance with *Standing Order 7*.

14.7. Voting:

Shall be in accordance with *Standing Order 8*.



15. MOTIONS NOT REQUIRING WRITTEN NOTICE

- i-** To appoint a person to preside at meetings.
- ii-** To approve the absences of Councillors.
- iii-** To approve the accuracy of the minutes of the previous meeting.
- iv-** To correct any inaccuracies in the minutes of the previous meeting.
- v-** To dispose of business, if any, remaining from the last meeting.
- vi-** To vary the order of business on the Agenda for reasons of urgency or expediency.
- vii-** To proceed to the next business on the Agenda.
- viii-** To close or adjourn the debate.
- ix-** To refer by formal delegation a matter to a Committee or to an employee.
- x-** To appoint a Committee, Sub-Committee, Advisory Committee or Working Group.
- xi-** To receive and accept nominations to a Committee, Sub-Committee, Advisory Committee or Working Group.
- xii-** To note the minutes of Committee, Sub-Committee, Advisory Committee or Working Group.
- xiii-** To consider a report and or recommendations made by a Committee, Sub-Committee, Advisory Committee or Working Group.
- xiv-** To consider a report and or recommendations made by an employee, professional advisor, expert or consultant.
- xv-** To authorise legal deeds to be signed by two Councillors and witnessed in accordance with *Standing Order 23*.
- xvi-** To amend a motion relevant to the original motion under consideration which shall not have the effect of nullifying it.
- xvii-** To withdraw a motion and amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
- xviii-** To extend the time limit for speeches and that the "question be put".
- xix-** To exclude the press and public for all or part of the meeting.
- xx-** To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct
- xxi-** To suspend any Standing Order except those which are mandatory by law.
- xxii-** To adjourn the meeting.



xxiii- To appoint representatives to outside bodies and make arrangements for those representatives to report back the activities of outside bodies.

xxiv- To answer questions from Councillors.

16. MOTIONS REQUIRING WRITTEN NOTICE.

16.1. Scope

i- Motions must be about matters for which the Council is responsible, and which substantially affect the well-being of the community area.

16.2. Giving Notice: -

i- Notice of a motion to be put to Council shall only be properly given if it is:

a) in writing, by e-mail or letter and contains only one motion, with the names of the proposer and seconder of the motion(s) clearly stated and signed by both parties.

b) delivered to and duly received by the Proper Officer no later than 12 noon at least six calendar days before the date of the meeting.

c) Any delivered after this time limit will be considered under *Standing Order 17*

d) in such case where the motion(s) contained in the notice are, in the opinion of the Proper Officer, out of order, illegal, irregular or improper, the Proper Officer shall immediately consult with the Chair of the Council and such notice shall not be accepted.

e) In the event of non-acceptance of a notice, the Proper Officer shall inform the member giving notice.

16.3. Registration: -

Every notice of motion whether correctly delivered and accepted or not, will be dated and registered by the Proper Officer in the order in which they were received and open to Members' inspection after the deadline for receipt.

16.4. Withdrawal: -

i- If, prior to the commencement of the meeting, a notice of withdrawal in writing, signed by the proposer and seconder has been delivered to the Proper Officer or

ii- in accordance with the rules of debate.

16.5. Amendments to motions: -

i- An amendment to a motion, where notice has been given, shall not be moved unless notice of the amendment has been given to the Proper Officer in writing, signed by the proposer and seconder, by noon on the last working day before the Council meeting.



17. URGENT MOTIONS:

17.1. Circumstances: -

- i- any case where a written notice of motion duly delivered to the Proper Officer before the start of the meeting that has arisen between the deadline for the submissions of motions and the date of the meeting.
- ii- any case where a motion which is not on the Agenda and is put forward at the meeting.
- iii- The motion requires an urgent decision in the public interest which cannot be dealt with by any other means.

17.2. Action by the Chair: -

- i- Confirms to the meeting that in the Chair's opinion a motion(s) is urgent.
- ii- The Chair shall state clearly the reason given by the proposer for the written notice of motion to be taken as an urgent matter.
- iii- Chair will explain to the meeting the reason why s/he has accepted a motion not listed in the Agenda as urgent.
- iv- The Chair will ask the meeting:
 - a) whether the motion should be discussed at the meeting or
 - b) deferred until the next meeting to consider whether the benefit of written Officer advice; or
 - c) referred for consideration by the appropriate Committee.
- v- Will ensure that urgent motions will not count against the allocation of motions agreed at the A.G.M. for the municipal year

18. PROCEDURE FOR DEALING WITH MOTIONS:

18.1. General Rules: -

- i- where motions are submitted and accepted by written notice and signed by more than two members the first two signatures listed shall be deemed to be those of the proposer and seconder. Seconders to notice of motion under this standing order shall be deemed to have given their consent to their name being used.
- ii- motions which are submitted by written notice and duly accepted by the Proper Officer shall be limited to the number set by resolution by Council at the A.G.M. for inclusion on the Agenda, provided the total number of written notices of motion for the Municipal Year does not exceed the maximum total of motions set by resolution of Council at the A.G.M. in each municipal year,
- iii- motions for which notice has been given and comply with Standing Order 18.ii will be listed in the Agenda in the order in which the notices were received.



iv- any motion which requires a change in the proposed or existing budgetary framework shall stand deferred to the Council's Audit Committee for consideration

v- motions received after the set number allowed per meeting and or Municipal Year has been reached, will be returned by the Proper Officer to the proposers.

vi- a motion where appropriate notice has been given must be formally moved and seconded at the relevant meeting by the proposer and seconder of the motion.

vii- If the motion is not moved or it is not seconded, then it will be treated as withdrawn and shall not be resubmitted for a period of six months.

18.2. *Motions affecting employees of the Council*

If any question arises at a meeting of the Council or a Committee or a Subcommittee or Advisory Committee or Working Group, concerning the appointment, promotion, dismissal, salary, conditions of service or conduct of any employee, such question shall not be the subject of any discussion until the meeting has decided whether or not the power of exclusion under the Public Bodies (Admission to Meetings) Act 1960, shall be exercised.

19. RULES OF DEBATE

i- Motions included in the Agenda shall be considered in the order that they appear unless at the Chair's direction the order is varied for reasons of expediency.

ii- Pursuant to the above *Standing Order 19.i*, the number of amendments to the original or substantive motion, which may be moved by a councillor, is limited to one

iii- If an amendment is not 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.

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

v- A Councillor may not speak further in respect of one motion except to speak once on an amendment moved by another councillor or to make a point of order or to give a personal explanation.

vi- During the debate of a motion, a Councillor may interrupt but only on a point of order or a personal explanation and the Councillor who was interrupted shall stop speaking. A Councillor raising a point of order shall identify the Standing Order which is considered to have been breached or specify the irregularity in the meeting that is causing concern.

vii- A point of order shall be decided by the Chair and the Chair's decision shall be final.

viii- With the consent of the seconder and/or of the meeting, a motion or amendment may be withdrawn by the proposer. A Councillor shall not speak upon



the said motion or amendment unless permission or the withdrawal of the motion or amendment has been refused.

ix- Subject to Standing Orders, when a Councillor's motion is under debate no other motion shall be moved except:

- a)** to amend the motion.
- b)** to proceed to the next business.
- c)** to adjourn the debate.
- d)** to put the motion to a vote.
- e)** to ask a person to be silent or for him/her to leave the meeting.
- f)** to refer a motion to a committee or working group for consideration.
- g)** to exclude the press and the public.
- h)** to adjourn the meeting.
- i)** to suspend any standing order, except those which are mandatory.
- j)** To proceed, by a secret ballot, to determine the outcome of a vote on a matter.

x- The Chair shall be satisfied that the substantive motion is seconded before it is debated and put to the vote.

xi- The Chair shall call upon the mover of the motion under debate to exercise or waive his/her right of reply and shall put the motion to the vote after that right has been exercised or waived.

xii- The adjournment of a debate or of the meeting shall not prejudice the mover's right of reply at the resumption

20. DISORDERLY CONDUCT

i- No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If a member of the public interrupts the proceedings the Chair shall warn that person and if the interruption continues the Chair shall order the removal of that person from the meeting

ii- If, in the opinion of the Chair, there has been a breach of Standing Orders by a Councillor, the Chair shall express that opinion and thereafter any Councillor (including the Chair) may move that the person be silenced or excluded from the meeting, and the motion, if seconded, shall be put to the vote forthwith without further discussion.

iii- If a resolution made in accordance with the Standing Order 46.b is disobeyed, the Chair may take such further steps as may be reasonably necessary to enforce it and/or the Chair may adjourn the meeting.



21. RESCISSION OF PREVIOUS RESOLUTIONS

i- A resolution (whether affirmative or negative) of the Council shall not be reversed within six months except either by a special motion, the written notice of which bears the names of at least a third of the membership of the Council, or by a motion moved in pursuance of the report or recommendation of a Committee or on a report from the Proper Officer

ii- When a special motion or any other motion moved in accordance with *Standing Order 21.i*, has been disposed of, no similar motion may be moved within a further six months.

22. FINANCIAL MATTERS

22.1. *Expenditure:* -

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

22.2. *Financial Regulations:* -

i- The Council shall consider and approve from time to time the Financial Regulations drawn up by the RFO and shall include detailed arrangements in respect of the following:

- a) the accounting records and systems of internal control.
- b) the assessment and management of financial risks faced by the Council.
- c) the work and the receipt of regular reports, which shall be required at least annually from the Internal Auditor.
- d) the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payment.
- e) 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.
- f) procurement policies in accordance with *Standing Order 22.iii* including the setting of values for different procedures where the contract has an estimated value of less than £25,000.

ii- The RFO shall: -



- a) Report to each Ordinary Meeting of the Council, providing details of the Council's income and expenditure since the last report and the current balance held.
- b) shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement summarising the Council's receipts and payments for each quarter and the balances held at the end of a quarter. This statement should include a comparison with the budget for the financial year.
- c) shall supply a Financial Statement prepared on the appropriate accounting basis (receipts and payments, or income and expenditure) for the year to 31 March shall be presented to each councillor before the end of the following month of May.
- d) The Statement of Accounts of the Council (which is subject to external audit), including the annual governance statement, shall be presented to Audit Committee and then to the Council for formal approval to meet the timetable specified by the external auditor for the submission of the Annual Return.

iii- Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £25,000 shall be the basis of a formal tender as summarised in *Standing Order 22.3*.

iv- Where, in the opinion of the Council, the supply of goods, materials, services and the execution of works are of a specialist nature, as an alternative to the requirements of *Standing Order 22.2.iii* tenders may be invited from at least three contractors, selected by the Council, specialising in the type of work included in the contract.

22.3. Formal tender process:

Shall comprise of the following steps:

- i-** A public notice of an invitation to tender shall be given in the same manner as a public notice of meetings of the Council and in the local press.
- ii-** The notice will give details of contact with the Council, outline detail of the requirements of the Council and the deadline for the expression of interest to be registered with the Council.
- iii-** a specification of the goods or materials or services or the execution of works or any combination thereof shall be drawn up.
- iv-** Such a specification shall be forwarded to those suppliers who have shown an interest to tender along with details of how to return the tender documents and the deadline for doing so.
- v-** tenders shall be returned in a sealed unmarked envelope, to the Proper Officer by a stated date and time.
- vi-** All sealed tenders submitted are to be opened at the same time after the stated closing date by the Council's Responsible Financial Officer in the presence of either



the Chair or Deputy Chair of the Audit Committee, or in their absence by at least one other member of the Council.

vii- tenders are then to be assessed and reported to a meeting of the appropriate committee or the Council.

viii- If no tenders are received, or that all the quotations are identical, the Council or committee may make such arrangements for procuring the supply of goods, materials, services and the execution of works, as it thinks fit.

ix- Neither the Council or committee is bound to accept the lowest tender, estimate or quote.

23. EXECUTION AND SEALING OF LEGAL DEEDS

i- A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.

ii- 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.

24. MEMBERS' CONDUCT

i- Councillors shall always conduct themselves within the requirements of:

**The Local Authorities (Model Code of Conduct) (Wales) Order 2008
and any subsequent amendments made by Welsh Government.¹**

ii- Councillors shall, in conducting the business of the Council, undertaking the role of member thereof to which they were elected or co-opted, and acting as a representative of the Council, observe and adhere to its Code of Conduct.

iii- A Councillor's failure to observe Standing Orders more than three times in one meeting may result in that Councillor being excluded from the remainder of the meeting.

iv- Canvassing Councillors or the members of a Committee or Sub-Committee, directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such an appointment. The Proper Officer shall disclose the requirements of this standing order to every candidate.

v- 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

i- _____

¹ Note only - A statutory guidance is issued by the Public Services Ombudsman for Wales under Section 68 of the Local Government Act 2000 for elected, co-opted and appointed members of Community and Town Councils,

link: <https://www.ombudsman.wales/wp-content/uploads/2018/03/Code-of-Conduct-Community-Councils-August-2016-ENGLISH.pdf>



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.

vi- This standing order shall apply to tenders as if the person making the tender were a candidate for an appointment.

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

- a)** inspect any land and/or premises which the Council has a right or duty to inspect; or
- b)** issue orders, instructions or directions.

25. WELSH LANGUAGE SCHEME AND USE OF THE WELSH LANGUAGE

i- Councillors and employees shall adhere to the requirements of any Welsh Language Scheme made by the Council under the Welsh Language Act 1993 and approved by the Welsh Language Board.

ii- The Council shall conduct the business at its meetings in the English language.

26. HUMAN RIGHTS

i- So far as it is possible, legislation must be read and given effect in a way which is compatible with the rights and fundamental freedom referred to in the European Convention of Human Rights set out in the 1998 Act and it is therefore, generally unlawful for a public authority to act in a way which incompatible with a Convention Right. The Council shall, therefore, have regard to human rights principles when making decisions affecting people's rights.

27. VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

Any Standing Order may be suspended by resolution of the Council, in relation to any specific item of business, subject to the vote thereon being carried by at least two-thirds of the members present and voting on the motion. This Standing Order equally applies at Committee and Sub-Committee meetings.

28. POSSESSION OF STANDING ORDERS.

i- The Proper Officer shall provide a copy of the Council's Standing Orders to:



- a) a Councillor following delivery of his/her Declaration of Acceptance of Office.
- b) an employee on his/her appointment.

ii- The Proper Office shall follow Standing Order 28.i. as soon as practical after the Council has adopted an amendment to or a revision of Standing Orders

29. END OF STANDING ORDERS