



CANVEY ISLAND TOWN COUNCIL

Standing Orders

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1. Rules of Debate at Meetings

- a Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairman of the meeting.
- b A motion (including an amendment) shall not be progressed unless it has been proposed and seconded.
- c A motion on the agenda that is not moved by its proposer may be treated by the chairman of the meeting as withdrawn.
- d If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- e An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- f If an amendment to the original motion is carried, the original motion becomes the substantive motion upon which further amendment(s) may be moved.
- g An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chairman of the meeting, is expressed in writing to the chairman.
- h A councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- i If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chairman.
- j Subject to standing order 1(k) below, only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairman of the meeting.
- k One or more amendments may be discussed together if the chairman of the meeting considers this expedient but each amendment shall be voted upon separately.
- l A councillor may not move more than one amendment to an original or substantive motion.
- m The mover of an amendment has no right of reply at the end of debate on it.
- n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate of the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
- o Unless permitted by the chairman of the meeting, a councillor may speak once in the debate on a motion except:
 - i. to speak on an amendment moved by another councillor;
 - ii. to move or speak on another amendment if the motion has been amended since he/she last spoke;
 - iii. to make a point of order;
 - iv. to give a personal explanation; or
 - v. in exercise of a right of reply.
- p During the debate of a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A councillor raising a point of order shall identify the standing order which he/she considers has been

breached or specify the other irregularity in the proceedings of the meeting he/she is concerned by.

- q A point of order shall be decided by the chairman of the meeting and his decision shall be final.
- r When a motion is under debate, no other motion shall be moved except:
 - i. to amend the motion;
 - ii. to proceed to the next business;
 - iii. to adjourn the debate;
 - iv. to put the motion to a vote;
 - v. to ask a person to be no longer heard or to leave the meeting;
 - vi. to refer a motion to a committee or sub-committee for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting; or
 - ix. to suspend particular standing order(s) except those which are mandatory.
- s Before an original or substantive motion is put to the vote, the chairman of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.
- t Excluding motions moved under standing order 1(r) above, the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed two minutes without the consent of the chairman of the meeting.

2. Disorderly Conduct at Meetings

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- b If person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- c If a resolution made under standing order 2(b) above is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

3. Meetings Generally

- Full Council meetings
- Committee meetings
- Sub-committee meetings

- a **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**
- b **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day**

appointed for public thanksgiving or mourning.

- c** The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice.
- d** Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.
Note: if a person's advice or assistance is needed they may be invited by name to remain
- e** Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- f** The period of time designated for public participation at a meeting in accordance with standing order 3(e) above shall not exceed ten minutes unless directed by the chairman of the meeting.
- g** Subject to standing order 3(f) above, a member of the public is entitled to speak only once and shall not speak for more than two minutes unless directed by the chairman of the meeting or time restraints are necessary due to the number of members of public wishing to speak.
- h** The chairman may limit or disallow any address which is felt to be inappropriate, abusive, frivolous, irrelevant or otherwise unacceptable.
- i** No item will be deferred owing to the absence of someone who had indicated an intention to address the meeting.
- j** In accordance with standing order 3(e) above, a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.
- k** A councillor shall raise his hand when requesting to speak and remain seated when speaking. A member of the public shall raise his hand or will be called upon by the chairman to speak and will be asked to stand whilst speaking (except when a person has a disability or is likely to suffer discomfort). The chairman of the meeting may at any time permit a person to be seated when speaking.
- l** A person who speaks at a meeting shall direct his comments to the chairman of the meeting.
- m** Only 1 person is permitted to speak at a time. If more than 1 person wants to speak, the chairman of the meeting shall direct the order of speaking.
- n** A person may not orally report or comment about a meeting as it takes place if he/she is present at the meeting of the Town Council or its committees, but otherwise may:
- Film, photograph or make an audio recording of a meeting;
 - Use any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later; and
 - Report or commend on the proceedings in writing during or after a

meeting or orally report or comment after the meeting

-   o **The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**
-  p **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Town Mayor of the Council may in his absence be done by, to or before the Deputy Town Mayor of the Council.**
-  q **The Chairman of the meeting, if present, shall preside at a meeting. If the Chairman is absent and the Vice-Chairman are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**
-    r **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors or councillors with voting rights present and voting.**
-    s **The chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he/she gave an original vote.**
See standing orders 5(i) and (j) below for the different rules that apply in the election of the Town Mayor of the Council at the annual meeting of the council.
- t **Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his vote for or against that question.** Such a request shall be made before moving on to the next item of business on the agenda.
- u The minutes of a meeting shall include an accurate record of the following:
 - i. the time and place of the meeting;
 - ii. the names of councillors present and absent;
 - iii. interests that have been declared by councillors and non-councillors with voting rights;
 - iv. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
 - v. if there was a public participation session; and
 - vi. officers report of decisions made under delegated powers
 - vii. resolutions made.
-    v **A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter and must leave the room.**
-  w **No business may be transacted at a meeting unless at least one-third of the whole number of members of the council are present and in no case shall the quorum of a meeting be less than three.** *See standing order 4d (v) below for the quorum of a committee meeting.*
-    x **If a meeting is or becomes inquorate no business shall be transacted** and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.

- y A meeting shall not exceed a period of 1 and a half hours and shall finish no later than 9.00 pm. Should an item of business still require a decision the chairman can extend the meeting at his discretion but no later than 9.30 pm.

4. Committees and Sub-Committees

- a **Unless the council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**
- b **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the council.**
- c **Unless the council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**
- d The council may appoint standing committees or other committees as may be necessary, and:
 - i. shall determine their terms of reference;
 - ii. may, subject to standing orders 4(b) and (c) above, appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer 7 days before the meeting that they are unable to attend;
 - iii. shall appoint a vice chairman of the committee;
 - iv. shall permit a sub-committee to appoint its own chairman at the first meeting of the committee;
 - v. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which shall be no less than three;
 - vi. shall determine if the public may participate at a meeting of a committee;
 - vii. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
 - viii. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
 - ix. may dissolve a committee;
 - x. The Town Mayor and Deputy Town Mayor of the council (ex officio) shall be voting members of every committee but will not sit as a chairman on any committee or sub-committee.

5. 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 a council shall be held on such day in May as the council may direct.**
- c **If no other time is fixed, the annual meeting of the council shall take place at 6pm.**
- d **In addition to the annual meeting of the council, at least three other ordinary meetings shall be held in each year on such dates and times as the council directs.**
- e **The first business conducted at the annual meeting of the council shall be the election**

of the Town Mayor and Deputy Town Mayor of the Council.

- f **The Town Mayor of the Council, unless he/she has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the council.**
- g **The Deputy Town Mayor of the Council, unless he/she resigns or becomes disqualified, shall hold office until immediately after the election of the Town Mayor of the Council at the next annual meeting of the council.**
- h **In an election year, if the current Town Mayor of the Council has not been re-elected as a member of the council, he shall preside at the meeting until a successor Town Mayor of the Council has been elected. The current Town Mayor of the Council shall not have an original vote in respect of the election of the new Town Mayor of the Council but must give a casting vote in the case of an equality of votes.**
- i **In an election year, if the current Town Mayor of the Council has been re-elected as a member of the council, he shall preside at the meeting until a new Town Mayor of the Council has been elected. He/she may exercise an original vote in respect of the election of the new Town Mayor of the Council and must give a casting vote in the case of an equality of votes.**
- j Following the election of the Town Mayor and Deputy Town Mayor of the Council at the annual meeting of the council, the business of the annual meeting shall include:
 - i. **In an election year, delivery by the Town Mayor of the Council and councillors of their acceptance of office forms unless the council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Town Mayor of the Council of his acceptance of office form unless the council resolves for this to be done at a later date;**
 - ii. Revision of councillors registers of interest forms;
 - iii. Confirmation of the accuracy of the minutes of the last meeting of the council;
 - iv. Receipt of the minutes of the last meeting of a committee;
 - v. Consideration of the recommendations made by a committee;
 - vi. Review of the terms of reference for committees;
 - vii. Appoint a chairman to each committee;
 - viii. Appointment of members to existing committees;
 - ix. Appointment of any new committees in accordance with standing order 4 above;
 - x. To note the appropriate standing orders and financial regulations;
 - xi. Review of arrangements, including any charters and agency agreements, with other local authorities and review of contributions made to expenditure incurred by other local authorities;
 - xii. To appoint representatives to outside bodies and review arrangements for reporting back on activities of outside bodies;
 - xiii. In an election year, to make arrangements with a view to the council becoming eligible to exercise the general power of competence in the future;
 - xiv. Review of the council's and staff subscriptions to other bodies;
 - xv. Sign the councils Health & Safety policy; and
 - xvi. Determining the time and place of ordinary meetings of the full council and its committees up to and including the next annual meeting of full council.

6. Extraordinary Meetings of the Council and Committees and Sub-Committees

- a **The Town Mayor of the Council may convene an extraordinary meeting of the council at any time.**
- b **If the Town Mayor of the Council does not or refuses to call an extraordinary meeting**

of the council within 7 days of having been requested in writing to do so by 2 councillors, any 2 councillors may convene an extraordinary meeting of the council. The public notice giving the time, place and agenda for such a meeting must be signed by the two councillors and specify the business to be transacted.

- c The chairman of a committee may convene an extraordinary meeting of the committee at any time.
- d If the chairman of a committee does not or refuses to call an extraordinary meeting within 7 days of having been requested by to do so by 2 members of the committee, any 2 members of the committee may convene an extraordinary meeting of a committee. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by those councillors and specify the business to be transacted.

7. Previous Resolutions

- a A resolution shall not be reversed within 6 months except either by a special motion, which requires written notice by at 7 councillors to be given to the Proper Officer in accordance with standing order 9 below, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
- b When a motion moved pursuant to standing order 7(a) above has been disposed of, no similar motion may be moved within a further 6 months.

8. Voting on Appointments

- a Where more than 2 persons have been nominated for a position to be filled by the council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of 1 person. A tie in votes may be settled by the casting vote exercisable by the chairman of the meeting.

9. Motions for a meeting that require written notice to be given to the Proper Officer

- a A motion shall relate to the responsibilities of the meeting which it is tabled for and in any event shall relate to the performance of the council's statutory functions, powers and obligations or an issue which specifically affects the council's area or its residents.
- b No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer on or before the 5th clear day of the next meeting. Clear days do not include the day of the notice or the day of the meeting.
- c The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b) above, correct obvious grammatical or typographical errors in the wording of the motion.
- d If the Proper Officer considers the wording of a motion received in accordance with standing order 9(b) 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 so that it can be understood at least 5 working days before the meeting.

- e If the wording or subject of a proposed motion is considered 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 in the agenda or rejected.
- f Subject to standing order 9(e) above, the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g Motions received shall be recorded in a book for that purpose and numbered in the order that they are received.
- h Motions rejected shall be recorded in a book for that purpose with an explanation by the Proper Officer for their rejection.
- i Every motion and resolution shall relate to the council's statutory functions, powers and lawful obligations and shall relate to an issue which specifically affects the council's area or its residents.

10. Motions at a meeting that do not require written notice

- a The following motions may be moved at a meeting without written notice to the Proper Officer;
 - i. to appoint a person to preside at a meeting
 - ii. to approve the absence of councillors
 - iii. to correct an inaccuracy in the draft minutes of a previous meeting;
 - iv. to alter the order of business on the agenda for reasons of urgency or expedience;
 - v. to proceed to the next business on the agenda;
 - vi. to move to a vote;
 - vii. to amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it;
 - viii. to defer consideration of a motion;
 - ix. to refer a motion to a particular committee or sub-committee;
 - x. to require a written report;
 - xi. to appoint a committee or sub-committee;
 - xii. to receive nominations to a committee or sub-committee;
 - xiii. to extend the time limits for speaking;
 - xiv. to exclude the press and public from a meeting in respect of confidential or sensitive information which is prejudicial to the public interest;
 - xv. to silence or exclude from a meeting a councillor or a member of the public for disorderly conduct;
 - xvi. to temporarily suspend the meeting;
 - xvii. to suspend a particular standing order except those which are mandatory by law;
 - xviii. to adjourn the meeting; or
 - xix. to close a meeting.

11. Handling Confidential or Sensitive Information

- a If a meeting considers any matter personal to a council employee, it shall not be considered until the council or the committee or the sub-committee has decided whether or not the press shall be excluded pursuant to standing order 3(d) above.
- b The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential or sensitive information which for special reasons would not be in the public interest.

- c Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.

12. Draft Minutes

- a If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 10(a)(i) above.
- c The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d If the chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:
 - “The chairman of this meeting does not believe that the minutes of the meeting of the () held on [date] in respect of () were a correct record but his view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”
- e Upon a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

13. Code of Conduct and Dispensations

See also standing order 3(v) above.

- a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the council.
- b All councillors shall undertake training in the code of conduct within 6 months of the delivery of their declaration of acceptance of office or of the adoption of a new code.
- c Unless they have been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which they have a disclosable pecuniary interest. They may return to the meeting after it has considered the matter in which they had the interest.
- d Unless they have been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which they have another interest if so required by the council’s code of conduct. They may return to the meeting after it has considered the matter in which they had the interest.
- e **Dispensation requests shall be in writing and submitted to the Monitoring Officer** as soon as possible before the meeting.
- f A decision as to whether to grant a dispensation shall be made by the Monitoring Officer and that decision is final.
- g A dispensation request shall confirm:
 - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;

- ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - iv. an explanation as to why the dispensation is sought.
- h Subject to standing orders 13(e) and (g) above, dispensations requests shall be considered by the Monitoring Officer before the meeting.
- i **A dispensation may be granted in accordance with standing order 13(f) above if having regard to all relevant circumstances the following applies:**
- i. **without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business or**
 - ii. **granting the dispensation is in the interests of persons living in the council's area or**
 - iii. **it is otherwise appropriate to grant a dispensation.**

14. Code of Conduct Complaints

- a The Monitoring Officer has delegated powers to resolve all complaints that a councillor or non-councillor with voting rights has breached the council's code of conduct.
- b Upon receipt of a notification that there has been an alleged breach of the code of conduct, the Proper Officer shall refer the complaint to the Monitoring Officer.
- c Where the notification in standing order 14(b) above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Monitoring Officer and Chairman of the Personnel Committee of this fact, and the Chairman of the Personnel Committee shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint, if necessary until it has been determined. The Monitoring Officer shall deal with all aspects of the complaint and consult the Personnel Chairman to agree what action, if any, to take in accordance with standing order 14(e).
- d The Personnel Committee/Proper Officer may:
- i. provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
 - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- e **Upon notification by the Monitoring Officer that a councillor or non-councillor with voting rights has breached the council's code of conduct, the council shall consider what, if any, action to take against him** following the recommendations by the Monitoring Officer. **Such action excludes disqualification or suspension from office.**

15. Proper Officer

- a The Proper Officer shall be either (i) the Town Clerk or (ii) other staff member(s) nominated by the council to undertake the work of the Proper Officer when the Proper Officer is absent.
- b The Proper Officer shall:
- i. **at least 3 clear days before a meeting of the council or a committee serve on councillors, by email, a signed summons confirming the time, place and the agenda provided any such email contains the electronic signature and title of the**

- proper officer.** All committee members will receive a copy of the summons by post.
- ii. **give public notice of the time, place and agenda at least 3 clear days before a meeting of the council or a meeting of a committee (provided that the public notice with agenda of an extraordinary meeting of the council convened by councillors is signed by them);**
 - iii. subject to standing order 9 above, include on the agenda all motions in the order received unless a councillor has given written notice at least 5 days before the meeting confirming his withdrawal of it;
 - iv. **convene a meeting of full council for the election of a new Town Mayor of the Council, occasioned by a casual vacancy in his office in accordance with 15(b)(i) and 15 (b)(ii) above;**
 - v. facilitate inspection of the minute book by local government electors;
 - vi. **receive and retain copies of byelaws made by other local authorities which affect the area of the Town;**
 - vii. retain acceptance of office forms from councillors;
 - viii. retain a copy of every councillor's register of interests and any changes to it and keep copies of the same available for inspection, ensuring these are also available on the Council's website;
 - ix. assist with responding to requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the council's policies and 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;
 - xi. manage the organisation, storage of, access to and destruction of information held by the council in paper and electronic form;
 - xii. arrange for legal deeds to be executed;
See also standing order 22 below.
 - xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the council in accordance with the council's financial regulations;
 - xiv. record every planning application notified to the council and the council's response to the local planning authority in a way approved by the council;
 - xv. refer a planning application received by the council to the Chairman or in his absence Vice-Chairman of the Planning Committee within 2 working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Planning committee;
 - xvi. manage access to information about the council via the publication scheme; and
 - xvii. action or undertake activity or responsibilities instructed by resolution or contained in standing orders.
 - xviii. retain custody of the seal of the council (if any) which shall not be used without a resolution to that effect.
See also standing order 22 below.

16. Responsible Financial Officer

- a The council shall appoint appropriate staff member(s) to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

17. Accounts and Accounting Statements

- a "Proper practices" in standing orders refer to the most recent version of Governance and Accountability for Local Councils – a Practitioners' Guide (England).
- b All payments by the council shall be authorised, approved and paid in accordance with the law, proper practices and the council's financial regulations.

- c The Responsible Financial Officer shall supply the Policy & Finance Committee at each meeting a summary of the accounts which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide to the full council the accounting statements for the year in the form of Section 1 of the annual return, as required by proper practices, for consideration and approval.
- e The yearend accounting statements shall be prepared in accordance with proper practices and applying the form of accounts determined by the council (receipts and payments, or income and expenditure) for a year to 31 March. The annual return of the council, which is subject to external audit, including the annual governance statement, shall be presented to council for consideration and formal approval before 30 June.

18. Financial Controls and Procurement

- a The council shall consider and approve financial regulations drawn up by the Responsible Financial Officer.
- b Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c **Financial regulations shall confirm that a proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £25,000 shall be procured on the basis of a formal tender as summarised in standing order 18(d) below.**
- d Subject to additional requirements in the financial regulations of the council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
 - i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. an invitation to tender shall be drawn up to confirm (i) the council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
 - iii. the invitation to tender shall satisfy the requirements of the 2015 Regulations which include the use of the Contracts Finder website, whether or not it advertises the contract opportunity elsewhere;
 - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
 - v. tenders shall be opened by the Proper Officer in the presence of at least 1 councillor after the deadline for submission of tenders has passed;
 - vi. tenders are to be reported to and considered by the appropriate meeting of the council or a committee with delegated responsibility.
- e Neither the council, nor a committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- f **Where the value of a contract is likely to exceed the threshold (which may vary from time to time) in Article 4 of the Public Contracts Directive (Regulation 5 (1) of the 2015 Regulations) (or other threshold specified by the Office of Government Commerce) the council must consider whether the Public Contracts Regulations 2015/102 and the Utilities Contracts Regulations 2006 (SI No. 6, as amended) apply to the contract and,**

if either of those Regulations apply, the council must comply with EU procurement rules.

19. Handling Staff Matters

- a A matter personal to a member of staff that is being considered by a meeting of the Personnel committee is subject to standing order 11 above.
- b Subject to the council's policy regarding absences from work, the council's most senior member of staff shall notify the chairman of the Personnel committee or, if he is not available, the vice-chairman of absence occasioned by illness or other reason and that person shall report such absence to the Personnel committee at its next meeting.
- c Subject to the council's policy regarding the handling of grievance matters, the council's most senior employee shall contact the chairman of the Personnel committee or in his absence, the vice-chairman in respect of an informal or formal grievance matter. The grievance panel shall review the matter and make recommendations to be progressed by resolution of the Personnel committee. Any matters referred to the disciplinary or appeals panel shall be progressed by resolution of the Personnel committee following recommendations.
- d Should an informal or formal grievance matter raised by an employee relate to the chairman or vice-chairman of the Personnel committee, this shall be communicated to another member of the Personnel committee, and this matter shall be progressed as per 19 (c) excluding the chairman or vice chairman from the proceedings.
- e Any persons responsible for all or part of the management of staff shall treat the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters as confidential and secure.
- f The council shall keep all written records relating to employees secure. All paper records shall be secured and locked and electronic records shall be password protected.
- g Only persons with line management responsibilities shall have access to staff records referred to in standing orders 19(e) and (f) above if so justified.
- h Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders 19(e) and (f) above shall be provided only to the Proper Officer or deputy.

20. Requests for Information

- a Requests for information held by the council shall be handled in accordance with the council's policy in respect of handling requests under the Freedom of Information Act 2000 and the Data Protection Act 1998.
- b Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the chairman of the Policy & Finance committee. The said committee shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000.

21. Relations with the Press/Media

- a Requests from the press or other media for an oral or written comment or statement from the Council, its councillors or staff shall be handled in accordance with the Council's policy in respect of dealing with the press and/or other media.

22. Execution and Sealing of Legal Deeds

See also standing orders 15(b)(xii) and (xvii) above.

- a A legal deed shall not be executed on behalf of the council unless authorised by a resolution.
- b **Subject to standing order 22(a) above, any 2 councillors may sign, on behalf of the council, any deed required by law and the Proper Officer shall witness their signatures.**

23. Delegation of Urgent Matters

There shall be delegated to the Town Clerk the authority to act in respect of any function of the Council which, in his/her opinion, does not admit of delay. Such authority shall only be exercised after consultation with the Town Mayor or Deputy Town Mayor, and the Chairman or Vice Chairman of the committee within whose terms of reference the particular function lies, unless they cannot be contacted and the urgency is such that action is paramount.

24. Official Communications

- a All official communications made whether made on behalf of the council or of committee shall be issued by the Town Clerk.
- b No member of the council shall communicate with nor issue orders, instructions or directions in the name of the council to any outside person or authority upon the business of the Council except through the Town Clerk, unless such communication shall be in pursuance of express authority given by the council or a committee to a named individual in respect of a matter specified in the resolution of the authority.
- c No member of the council shall issue orders, instructions or directions to any member of the council's staff except through the Town Clerk, unless such communication shall be in pursuance of express authority given by the council or a committee to a named individual in respect of a matter specified in the resolution of the authority.

25. Communicating with Borough and County councillors

- a An electronic notification of each meeting of the council shall be sent to the ward councillors of the Borough and County Council representing the area of the council.

26. Restrictions on Councillor Activities

- a Unless authorised by a resolution, no councillor shall:
 - i hold a position on the council without having completed mandatory training or the relevant associated training course;
 - ii attend at the council offices for purposes other than to attend at a meeting or following prior notice.

- iii. inspect any land and/or premises which the council has a right or duty to inspect;
- iv. issue orders, instructions or directions;

27. Standing Orders Generally

- a All or part of a standing order, except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b A motion to add to or vary or revoke one or more of the council's standing orders, except one that incorporates mandatory statutory requirements, shall be proposed by a special motion, the written notice by at least 2 councillors to be given to the Proper Officer in accordance with standing order 9 above.
- c The Proper Officer shall provide a copy of the council's standing orders to a councillor as soon as possible after he has delivered his acceptance of office form.
- d The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.

28. Terms of Reference of Committee's

All committee's have delegated power to act on behalf of the council within their terms of reference with the exception of the Policy & Finance committee.

Each committee must at all times consider its duty to Best Value, Equal Opportunities (race, religion, gender, sexual orientation, marital status and any disability), Crime and Disorder, Health and Safety and Human Rights

Responsibilities common to all committees:

1. To be responsible for compiling its annual budget.
2. To be responsible for compiling its four year plan as part of the annual budget. No additions will be made once approved by Full Council and new projects will be considered in the next budget year.
3. To present and obtain approval for its annual budget from the Full Council.
4. Membership of the Committee shall only consist of a chairman, vice chairman and 4 other councillors unless stated otherwise.
5. Members shall not be on more than 3 committees with the exception of Policy & Finance which should hold each committee chairman.

Environment and Open Spaces Committee

The overall purpose of the committee, within council policies and approved budgets is:

1. In conjunction with the Clerk/RFO monitor its functions and expenditure.
2. To assess and budget for future maintenance, replacement or upgrading of items for which it is responsible.
3. To ensure the proper management of the recreation and amenity facilities provided by the Council.
4. To consider matters relating to the local environment in general, and to take any action as appropriate
5. To consider the amenities of the town generally, and to make recommendations for change as appropriate.
6. To consider matters relating to conservation and take any action as appropriate.
7. To be responsible for the provision and maintenance of public seats, litter bins, and other street furniture as may be decided.
8. To ensure the proper management of the allotment sites provided by the Council.
9. To consider environmental policies and issues and make recommendations to the relevant body or the Council.
10. To monitor and support the development of local nature reserves.
11. To work with other authorities to provide improved cycle paths and footpaths around the Island.
12. To consider and make recommendations on local Highway Issues via Essex County Council.
13. To reduce levels of graffiti, litter and dog-fouling in public places.
14. Consideration of using consultants for specialised projects.
15. To consider any other matters deemed relevant to the Committee.

Community Relations Committee

The overall purpose of the committee, within council policies and approved budgets is:

1. In conjunction with the Clerk/RFO monitor its functions and expenditure.
2. To assess and budget for items for which it is responsible.
3. To consider matters relating to Adult Education.
4. To monitor the provision of bus services and shelters and ensuring they are adequate to meet resident's needs.
5. To monitor the Council's publicity and promotion through the Council's website and newsletters.
6. To work with other authorities regarding matters relating to Health provision and services.
7. To consider matters relating to community events and festive lighting.
8. To consider and monitor matters relating to the provision of Library services.
9. To monitor and support projects related to crime matters and reduction.
10. To consider matters relating to the Act of Remembrance.
11. To work with other authorities regarding matters relating to the provision of schools and education.
12. To consider matters relating to the services provided for Senior Citizens.
13. To consider matters relating to the provision of youth services.
14. To consider matters relating to Tourism.
15. To consider any other matters deemed relevant to the Committee

Policy and Finance Committee

The overall purpose of the committee, within council policies and approved budgets is:

1. In conjunction with the Clerk/RFO to monitor its functions and expenditure.
2. Membership must consist of all committee chairman.
3. To assess and budget for future maintenance, replacement or upgrading of items for which it is responsible.
4. To review and update the Council's Financial Regulations and Standing Orders at least once every 4 years and to ensure the Regulations are observed by the Council.

5. To oversee the financial administration of the Council.
6. To monitor the Council's income and expenditure against budgets and make recommendations for action to the Council.
7. To monitor purchasing decisions to ensure a value for money approach to all aspects of Council activity.
8. To receive and review Audit reports and make recommendations to the Council in respect of Auditor's observations.
9. To recommend the appointment of the internal auditor and to approve the internal audit plan.
10. To develop, maintain and monitor the effectiveness of the Council's policies.
11. To monitor the Council's banking arrangements and investments.
12. To make recommendations to the Council in respect of the Council's insurance obligations.
13. To consider the draft annual budget and make a recommendation for the forthcoming year's precept.
14. To monitor and review processes for risk assessment.
15. To consider subscriptions, grants and donations.
16. To consider any other matters deemed relevant to the Committee.

Planning Committee

The overall purpose of the committee, within council policies and approved budgets is:

1. To consider matters relating to planning applications, development control or planning policy in the parish of Canvey Island and to respond on behalf of the Council (via the Council Office).
2. The Chairman and Vice Chairman of the Committee, as representatives on Castle Point Borough Council's Development Control Committee, are invited to be present and may also attend any other training events organised by Castle Point Borough Council.
3. To reserve the right to consider any planning issue of significant local interest for:
 - -Change of use (if considered to affect residential housing or quality of life)
 - -New developments
 - -new properties/structures
5. Not considering applications for:
 - a. -Alterations to or extensions of any existing residential dwelling;
 - b. -Advertising/signage;
 - c. -Conservatories;
 - d. -Replacement homes (i.e. bungalow to house)
 - e. -Crossover
 - f. -building or street naming

Personnel Committee

The overall purpose of the committee, within council policies and approved budgets is:

1. To act in all matters relating to the personnel interests of the Council.
2. To discharge the functions of the Council relating to Personnel.
3. To discharge the functions of the day to day management of staff to the Clerk to the Council
4. To, if required spend council funds in relation to this.
5. To report the decisions of the Personnel committee to full council where appropriate to do so unless the decisions made are with reference to legal proceedings or are strictly private and confidential/personal to staff members.
6. Membership of the Committee shall not exceed 6 councillors.
7. To meet on an ad-hoc basis as required with no less than 1 meeting per year.
8. To determine the pay, conditions and job descriptions of staff and to review and update these as necessary to comply with the law and good practice.
9. To determine staffing levels necessary to efficiently discharge the Council's functions and duties and to review workloads periodically. To inform the Council of outcomes and recommendations.
10. To undertake the process of staff recruitment, to form an Appointments Panel with the power to advertise, shortlist, interview and appoint staff in line with Council's policies and decisions.
11. To ensure the health and safety and well being of staff by providing appropriate work space, tools and equipment and through training staff to safeguard their health and safety at work.
12. To determine all matters in relation to disciplinary action and grievance matters.
13. To appoint a grievance and disciplinary panel from the membership of the Committee to consider issues relating to complaints or grievance. (If the issue progresses to an appeal, an Appeals Panel would be formed by the Council and would consist of 3 Council members who were not members of the Personnel Committee).
14. The chairman of the committee to undertake an annual appraisal of the Clerk to the Council.
15. To consider any other matters deemed relevant to the Committee.

Common Liaison Committee

The overall purpose of the committee, within council policies and approved budgets is:

1. In conjunction with the Clerk/RFO to monitor its functions and expenditure.
2. Membership will consist of 2 members from the Borough Council and 2 members from the Town Council and 1 independent person representing a nationally recognised environment organisation.
3. To assess and budget for future maintenance, replacement or upgrading of items for which it is responsible.

4. The development and maintenance of Canvey Lake for the benefit and enjoyment of Canvey Island residents.
5. Take all reasonable measures to conserve local wildlife having regard to the need to maintain the Land.
6. To undertake any necessary improvements enhancements and modifications groundwork construction and excavation.
7. To meet in order to exchange information and ideas and confirm the future aims and priorities of managing the Land and to implement the Canvey Lake Feasibility Study.
8. Must meet at least twice a year and will only be quorate if at least 1 member from the Borough Council and 1 member from the Town Council and the independent person are present.
9. To work with other authorities to provide improved cycle paths and footpaths around the lake.
10. To consider and implement grounds maintenance programmes.
11. Consideration of using consultants for specialised projects.
12. To consider any other matters deemed relevant to the Committee