



LEIGHTON-LINSLADE TOWN COUNCIL

STANDING ORDERS

ADOPTED BY COUNCIL 29 APRIL 2013
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1 Council Meetings

Mandatory for full Council meetings	●
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- a **All Meetings of the Council shall be held at The White House, Hockliffe Street, Leighton Buzzard at 1930 hours unless the Council decides otherwise at a previous Meeting.**
- b In addition to the annual meeting of the Council, at least three ordinary meetings shall be held in each year, on such dates and times as the Council directs.
- c **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.**
- d **When calculating the 3 clear days for notice of a meeting to councillors and the public, the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning shall not count.**
- e **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.**
- f Subject to standing order 1(e) above, members of the public are permitted to make representations, ask questions and give evidence in respect of any item of business included in the agenda. Questions not relating to items on the meeting agenda should be addressed in writing to the Town Clerk.
- g The period of which is designated for public participation in accordance with standing order 1(e) above] shall not exceed 15 minutes in total.

- h Subject to standing order 1(e) above, each member of the public is entitled to speak once only in respect of business itemised on the agenda and shall not speak for more than 3 minutes.
- i In accordance with standing order 1(e) above, a question asked by a member of the public during a public participation session at a meeting shall not require a response or debate.
- j In accordance with standing order 1(h) above, the Chairman may direct that a response to a question posed by a member of the public be referred to a Councillor for an oral response or to an employee for a written or oral response.
- k A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- l At a Council meeting, a person shall raise his hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort). The Chairman may at any time permit an individual to be seated when speaking..
- m Any person speaking at a meeting shall address his comments to the Chairman.
- n Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chairman shall direct the order of speaking.
- o **In accordance with standing order 1(e) above, the press shall be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**
- p **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman may in his absence be done by, to or before the Vice-Chairman.**
- q **The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a Councillor as**

chosen by the Councillors present at the meeting shall preside at the meeting.



r Subject to standing order 1 (t) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.



s The Chairman may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote. *(See also standing orders 2 (h) and (i) below.)*



t Unless standing orders provide otherwise, voting on any question shall be by a show of hands. At the request of a Councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his 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 record the names of councillors present.

v If prior to a meeting, a Councillor has submitted reasons for his absence at the meeting which is then approved by a resolution, such resolution shall be recorded in the minutes of the meeting at which the approval was given.



w The code of conduct adopted by the Council shall apply to councillors in respect of the entire meeting.



x An interest arising from the code of conduct adopted by the Council, the existence and nature of which is required to be disclosed by a Councillor at a meeting shall be recorded in the minutes. *(See also standing orders 7 and 9 below.)*



y 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 3.



z If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be adjourned. Any outstanding business of a meeting so adjourned

shall be transacted at a following meeting.

- aa Meetings shall not exceed a period of 2.5 hours.
- bb A motion to vary the order of business on the grounds of urgency:
 - a) may be proposed by the Town Mayor, or by any Member, and, if proposed by the Town Mayor, may be put to the vote without being seconded, and
 - b) shall be put to the vote without discussion.

2 Annual Council Meeting

See also standing order 1 above

- a **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the new councillors elected take office.**
- b **In a year which is not an election year, the annual meeting of a Council shall be held on the 3rd Monday in May .**
- c **If no other time is fixed, the annual meeting of the Council shall take place at 7.30pm.**
- 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 election of the Chairman and Vice-Chairman of the Council shall be the first business completed at the annual meeting of the Council.** The Chairman and Vice Chairman shall have the titles Town Mayor and Deputy Town Mayor.
- f **The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.**
- g **The Vice-Chairman of the Council, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.**

- h In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he shall preside at the meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but must give a casting vote in the case of an equality of votes.**
- i In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he shall preside at the meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and must give a casting vote in the case of an equality of votes.**
- j Following the election of the Chairman of the Council and Vice-Chairman of the Council at the annual meeting of the Council, the order of business shall be as follows.**
- i. In an election year, report on delivery by councillors of their declarations of acceptance of office.
 - ii. To decide when any declarations of office which have not been received as provided by law shall be received.
 - iii. In the ordinary year of election of the Council, to fill any vacancies left unfilled at the election by reason of insufficient nominations.
 - iv. Confirmation of the accuracy of the minutes of the last meeting of the Council.
 - v. To receive minutes of and determine recommendations made by committees.
 - vi. Setting the dates, times and place of ordinary meetings of the full Council for the year ahead.
 - vii. To elect a Councillor to be Leader of the Council.
 - viii. To announce the Leaders and Deputy Leaders of the political groups represented on the Council.
 - ix. To receive announcements from the Group Leaders of the Council.
 - x. To answer questions from Councillors, provided three clear days' notice of the question has been given to the person to whom it is addressed.
 - xi. Review and confirm the committee structure for the ensuing year.
 - xii. Review and confirm the number of members and representation by each of the political groups for each Committee
 - xiii. Review of delegation arrangements to committees, employees and other local authorities.
 - xiv. Review of the terms of references for committees.
 - xv. Receipt of nominations to committees
 - xvi. Review of representation on or work with external bodies and arrangements for

reporting back.

- xvii. Review Council's eligibility to exercise the General Power of Competence and if necessary, make arrangements to meet the required criteria and reaffirm eligibility.
- xviii. To authorise the signing of documents

k A motion to vary the order of business on the grounds of urgency:

a) may be proposed by the Town Mayor, or by any Member, and, if proposed by the Town Mayor, may be put to the vote without being seconded, and

b) shall be put to the vote without discussion.

3 Proper Officer

a The Council's Proper Officer shall be either (i) the clerk or such other employee as may be nominated by the Council from time to time or (ii) such other employee appointed by the Council to undertake the role of the Proper Officer during the Proper Officer's absence. The Proper Officer and the employee appointed to act as such during the Proper Officer's absence shall fulfil the duties assigned to the Proper Officer in standing orders.

b The Council's Proper Officer shall do the following.

- i. **Sign and serve on councillors by delivery or post at their residences a summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee and sub-committee at least 3 clear days before the meeting.**
- ii. **Give public notice of the time, date, venue and agenda at least 3 clear days before a meeting of the Council or a meeting of a committee or a sub- committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**
- iii. Subject to standing orders 4(a)–(e) below, include in the agenda all motions in the order received unless a councillor has given written notice at least 10 clear working days before the meeting confirming his withdrawal of it.
- iv. **Convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office, in accordance with standing order 3(b)i above.**
- v. Make available for inspection the minutes of meetings.
- vi. **Receive and retain copies of byelaws made by other local authorities.**
- vii. **Receive and retain declarations of acceptance of office 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.
- ix. Keep proper records required before and after meetings;
- x. Process all requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council's procedures relating to the same.
- xi. Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
- xii. Manage the organisation, storage of and access to information held by the Council in paper and electronic form.
- xiii. Arrange for legal deeds to be signed by 2 councillors and witnessed (*See also model standing orders 14(a) and (b).*)
- xiv. Arrange for the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations.
- xv. Submit to the following meeting of the Committee responsible for Planning, the particulars of every planning application notified to the Council.
- xvi. Record every planning application notified to the Council and the Council's response to the local planning authority in a minute book for such purpose;
- xvii. Refer a planning application received by the Council to the Chairman or in his absence the Vice-Chairman of the Committee responsible for Planning and to the Chairman or in his absence Vice-Chairman of any other relevant Committees within 2 working days of receipt to facilitate an extraordinary joint meeting if the nature of a planning application requires consideration by both Committees.
- xviii. Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.
- xix. Certify copies of byelaws made by the Council.

4 Motions to Council requiring written notice

- a In accordance with standing order 3(b)(iii) above, no motion may be moved at a meeting unless it is included in the agenda and the mover has given written notice of its wording to the Council's Proper Officer at least 10 clear working days before the next meeting.
- b The Proper Officer may, before including a motion in the agenda received in accordance with standing order 4(a) above, correct obvious grammatical or typographical errors in the wording of the motion.
- c If the Proper Officer considers the wording of a motion received in accordance with standing

order 4(a) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer in clear and certain language at least 7 clear working days before the meeting.

- d If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Chairman of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to consider whether the motion shall be included or rejected in the agenda.
- e Having consulted the Chairman or councillors pursuant to standing order 4(d) above, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.
- f Notice of every motion received in accordance with the Council's standing orders shall be numbered in the order received and shall be entered in a book, which shall be open to inspection by all councillors.
- g Every motion rejected in accordance with the Council's standing orders shall be duly recorded with a note by the Proper Officer giving reasons for its rejection in a book for that purpose, which shall be open to inspection by all councillors.
- h Every motion and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area or its residents.

5 Motions to Council not requiring written notice

- a Motions in respect of the following matters may be moved without written notice.
 - i. To appoint a person to preside at a meeting.
 - ii. To approve the absences of councillors.
 - iii. To approve the accuracy of the minutes of the previous meeting.
 - iv. To correct an inaccuracy in the minutes of the previous meeting.
 - v. To dispose of business, if any, remaining from the last meeting.
 - vi. To alter the order of business on the agenda for reasons of urgency or expedience.
 - vii. To proceed to the next business on the agenda.
 - viii. To close or adjourn debate.
 - ix. To refer by formal delegation a matter to a committee or to a sub-committee or an employee.

- x. To appoint a committee or sub-committee or any councillors (including substitutes) thereto.
 - xi. To receive nominations to a committee or sub-committee.
 - xii. To dissolve a committee or sub-committee.
 - xiii. To note the minutes of a meeting of a committee or sub-committee.
 - xiv. To consider a report and/or recommendations made by a committee or a sub-committee or an employee.
 - xv. To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
 - xvi. To authorise legal deeds to be signed by two councillors and witnessed.
(See *standing orders 14(a) and (b) below.*)
 - xvii. To 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.
 - xix. To exclude the press and public for all or part of a meeting.
 - xx. To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
 - xxi. To give the consent of the Council if such consent is required by standing orders.
 - xxii. To suspend any standing order except those which are mandatory by law.**
 - xxiii. To adjourn the meeting.
 - xxiv. To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
 - xxv. A Member may ask the Chairman or the Proper Officer any question concerning the business of the Council and a member may ask the Chair of a Committee any question upon the proceedings of the Committee then before the Council.
 - xxvi. No questions shall be asked not connected with business under discussion except during the part of the meeting set aside for questions.
 - xxvii. Every question shall be put and answered without discussion.
 - xxviii. A person to whom a question has been put may decline to answer.
- b If a motion falls within the terms of reference of a committee or sub-committee or within the delegated powers conferred on an employee, a referral of the same may be made to such committee or sub-committee or employee provided that the Chairman may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

6 Rules of debate

- a Motions included in an agenda shall be considered in the order that they appear on the agenda

unless the order is changed at the Chairman's direction for reasons of expedience.

- b Subject to standing orders 4(a)–(e) above, a motion shall not be considered unless it has been proposed and seconded.
- c If a member of a political party or an independent Councillor moves a motion or a resolution, where that member is the sole representative of that party, the motion or resolution shall be deemed to have been automatically seconded.
- d Subject to standing order 3(b)(iii) above, a motion included in an agenda not moved by the councillor who tabled it, may be treated as withdrawn.
- e A motion to amend an original or substantive motion shall not be considered unless proper notice has been given after the original or substantive motion has been seconded and notice of such amendment, shall, if required by the Chairman, be reduced to writing and handed to the Chairman who shall determine the order in which they are considered.
- f No speech by a mover of a resolution shall exceed ten minutes and no other speech shall exceed five minutes except by consent of the Council.
- g A Councillor may move amendments to his own motion. If a motion has already been seconded, an amendment to it shall be with the consent of the seconder.
- h Any amendment to a motion shall be either:
 - i. to leave out words;
 - ii. to add words;
 - iii. to leave out words and add other words.
- i A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration.
- j Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chairman. No further amendment to a motion shall be moved until the previous amendment has been disposed of.
- k Subject to Standing Order 6(h) above, one or more amendments may be discussed together if the Chairman considers this expedient but shall be voted upon separately.
- l Pursuant to standing order 6(h) above, the number of amendments to an original or substantive

motion, which may be moved by a councillor, is limited to one.

- m If an amendment is not carried, other amendments shall be moved in the order directed by the Chairman.
- n If an amendment is carried, the original motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.
- o The mover of a motion or the mover of an amendment shall have a right of reply, not exceeding 5 minutes.
- p Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply in respect of the substantive motion at the very end of debate and immediately before it is put to the vote.
- q Subject to standing orders 6(o) and (p) above, a councillor may not speak further in respect of any one motion except to speak once on an amendment moved by another councillor or to make a point of order or to give a personal explanation.
- r During the debate of a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A Councillor raising a point of order shall identify the standing order which he considers has been breached or specify the irregularity in the meeting he is concerned by.
- s A point of order shall be decided by the Chairman and his decision shall be final.
- t 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 for the withdrawal of the motion or amendment has been refused.
- u Subject to standing order 6(q) above, when a councillor's motion is under debate no other motion shall be moved except:
 - i. to amend the motion;
 - ii. to proceed to the next business;
 - iii. to adjourn the debate;
 - iv. to put the motion to a vote;
 - v. to ask a person to be silent or for him to leave the meeting;
 - vi. to refer a motion to a committee or sub-committee for consideration;

- vii. to exclude the public and press;
 - viii. to adjourn the meeting;
 - ix. to suspend any standing order, except those which are mandatory.
- v In respect of standing order 6(u)(iv) above, the Chairman shall first be satisfied that the motion has been sufficiently debated before it is seconded and put to the vote. The Chairman shall call upon the mover of the motion under debate to exercise or waive his right of reply and shall put the motion to the vote after that right has been exercised or waived. The adjournment of a debate or of the meeting shall not prejudice the mover's right of reply at the resumption.

7 Code of conduct (England)

- a **All councillors shall observe the code of conduct adopted by the Council**, a copy of which is annexed to these Standing Orders.
- b All councillors shall undertake training in the code of conduct within 6 months of the delivery of their declaration of acceptance of office.
- c In certain circumstances, Councillors may be granted a dispensation which enables them to take part in Council business, where this would otherwise be prohibited because they have a Disclosable Pecuniary Interest. Provided Councillors act within the terms of their dispensation, there is deemed to be no breach of the Code of Conduct or the law.

A dispensation may be granted to a Councillor who has a Disclosable Pecuniary Interest to participate in any discussion of a matter at a meeting and/or to participate in any vote on the matter if it is considered that:

- (i) so many Members of the Council/Committee have Disclosable Pecuniary Interests that it would impede the transaction of the business (i.e. the meeting would be inquorate); or
- (ii) without the dispensation, the representation of different political groups on the Council (if these exist) would be so upset as to alter the likely outcome of the particular vote;
- (iii) the dispensation is in the interests of persons living in the authority's area; or
- (iv) it is otherwise appropriate to grant a dispensation.

All Councillors shall observe the Dispensations Procedure, a copy of which is annexed to these Standing Orders.

8 Questions from Councillors

- a A councillor may seek an answer to a question concerning any business of the Council provided 3 clear working days notice of the question has been given to the Proper Officer.
- b Questions not related to items of business on the agenda for a meeting shall only be asked during the part of the meeting set aside for such questions.
- c Every question shall be put and answered without discussion.

9 Minutes

- a If a copy of the draft minutes of a preceding meeting has been circulated to councillors no later than the day of service of the summons to attend the scheduled meeting they shall be taken as read.
- b No discussion of the draft minutes of a preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the minutes shall be raised in accordance with standing order 5(a)(iv) above.
- c Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the Chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d If the Chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:
“The Chairman of this meeting does not believe that the minutes of the meeting of the () held on [date] in respect of () were a correct record but his view was not upheld by the majority of the () and the minutes are confirmed as an accurate record of the proceedings.”
- e Upon a resolution which confirms the accuracy of the minutes of a meeting, any previous draft minutes or recordings of the meeting shall be destroyed.

10 Disorderly conduct

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly, or in such a manner as to bring the Council into disrepute.

- b If, in the opinion of the Chairman, there has been a breach of standing order 10(a) above, the Chairman shall express that opinion and thereafter any councillor (including the Chairman) may move that the person be silenced or excluded from the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
- c If a resolution made in accordance with standing order 10(b) above, is disobeyed, the Chairman may take such further steps as may reasonably be necessary to enforce it and/or he may adjourn the meeting.

11 Rescission of previous resolutions

- a A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months except either by a special motion, the written notice whereof bears the names of at least 6 councillors of the Council, or by a motion moved in pursuance of the report or recommendation of a committee.
- b The body which made the decision may subsequently alter the decision in extenuating circumstances (e.g. should additional relevant information come to light).
- c When a special motion or any other motion moved pursuant to standing order 11(a) above has been disposed of, no similar motion may be moved within a further 6 months.

12 Voting on appointments

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

13 Expenditure

- a Any expenditure incurred by the Council shall be in accordance with the Council's financial regulations.
- b **The Council's financial regulations shall be reviewed once a year.**
- c **The Council's financial regulations may make provision for the authorisation of the**

payment of money in exercise of any of the Council's functions to be delegated to a committee, sub-committee or to an employee.

14 Execution and sealing of legal deeds

See also standing order 5(a)(xvi) above

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

15 Committees

See also standing order 1 above (apart from 1 (a), 1 (b) and 1 (l))

- a The Council may, at its annual meeting, appoint standing committees and may at any other time appoint such other committees as may be necessary, and:
 - i. shall determine their terms of reference;
 - ii. may permit committees to vary the dates of their meetings;
 - iii. shall appoint and determine the term of office of councillor or non-councillor members of such a committee (unless the appointment of non-councillors is prohibited by law) so as to hold office no later than the next annual meeting;
 - iv. may in accordance with standing orders, dissolve a committee at any time.
 - v. may at the first meeting each year after the Council Annual Meeting, appoint a Chair and Vice Chair to serve until the next Council Annual Meeting. Any member of a Committee may be elected Chair, unless they are currently Chair (Town Mayor) of the Council.
- b
 - i. A Committee may appoint substitute councillors whose role is to replace ordinary councillors at a meeting of a committee if ordinary councillors of the committee have confirmed to the Proper Officer prior to the meeting that they are unable to attend;
 - ii. an ordinary member of a committee who has been replaced at a meeting by a substitute member (in accordance with standing order 15(b)(i) above) shall not be permitted to vote on business at that meeting. Any Councillor

attending the meeting may speak at the Invitation of the Chairman.

- c In the case of meetings of the Committee responsible for Planning, questions or statements may be put by members of the public on individual planning applications immediately prior to the discussion on such applications (subject to the rules detailed in 1(g) and 1(h) and at the discretion of the Chair)
- d The following shall apply with regard to the presence of non-members of Committees (and Sub-Committees) at Committee (and Sub-Committee) meetings:
 - i A member who has proposed a resolution, which has been referred to any Committee or Sub-Committee of which s/he is not a member, should attend the meeting and explain his/her resolution to the Committee (or Sub-Committee), but not vote.
 - ii. A member who has requested an item to be included on a Committee or Sub-Committee agenda, should attend the meeting and explain his/her request to the meeting.
 - iii. Any Councillor may attend and with the permission of the Committee (or Sub-Committee) Chair, speak on particular matters at a meeting of a Committee (or Sub-Committee) of which s/he is not a member, but may not vote.
- e It is not necessary for Members to stand when speaking at a Committee meeting.
- f Members of the public may ask questions on any item on the agenda of a meeting, in accordance with Standing Order 1(f). Questions need not be submitted in writing in advance.

16 Sub-committees & Advisory committees

See also standing order 1 above (apart from 1 (a), 1 (b) and 1 (l))

- a Unless there is a Council resolution to the contrary, every committee may appoint a sub-committee whose terms of reference and members shall be determined by resolution of the committee.
- b Every Committee may appoint a Task and Finish Group or working party, if required to undertake research or complete a task (subject to Terms of Reference). Non Councillor members to be invited to join such groups, as appropriate. The Committee may appoint a Chairperson for the Task and Finish Group. Appointment of a Chairperson will be for the duration of the project. At least four Councillors shall be appointed to Task and Finish groups,

Sub-Committees and Advisory Committees.

- c The need for a Task and Finish group should be reviewed after six months by the Committee.
- d The Council may appoint advisory committees comprised of a number of Councillors and non-Councillors.
- e Advisory committees may consist wholly of persons who are non-Councillors.

17 Extraordinary meetings

See also standing order 1 above

- a **The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
- b **If the Chairman of the Council does not or refuses to call an extraordinary meeting of the Council within 7 days of having been requested to do so by two councillors, those two councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two councillors.**
- c The Chairman of a committee (or a sub-committee) may convene an extraordinary meeting of the committee or sub-committee at any time.
- d If the Chairman of a committee (or a sub-committee) does not or refuses to call an extraordinary meeting within 7 days of having been requested by to do so by 2 councillors, those 2 councillors may convene an extraordinary meeting of a committee (or a sub-committee). The statutory public notice giving the time, venue and agenda for such a meeting must be signed by 2 councillors.

18 Proportional Representation

- a Allocation of seats on Committees and Sub-Committees (referred to as bodies) of Leighton-Linslade Town Council to be made on a proportional basis unless agreed, without dissent, otherwise at the Annual Meeting. The rules determining allocation shall be those used, by statute, for principal Councils.

- b A "political group" comprises two or more members who give written notice of their wish to be treated as a group. It must have a Leader and may have another person authorised to act in the place of the Leader. No person can be a member of more than one group.

- c A determination of the allocation of seats may take place annually, at the Annual Meeting of the Town Council, or when it becomes apparent that it is necessary to do so. Determination, as far as is reasonably practical, must give effect to the following principles:
 - I. That not all seats of the body to which appointments are made are allocated to the same political group.
 - II. That the majority of seats on the body are allocated to a particular political group if the number of persons belonging to that group are a majority of the authority's membership.
 - III. Subject to i) and ii), that the total number of seats on all the ordinary Committees of the Council allocated to a particular political group, reflects that group's proportion of the membership of the Town Council.
 - IV. Subject to i) and iii), that the number of seats on each body allocated to a particular political group reflects that group's proportion of the membership of the Town Council.

- d. Any single members who are not part of a political group should not be excluded from membership of bodies within the Town Council. Allocation of seats to such members should be by agreement between the political parties and must have regard to the principles stated above.

19 Accounts and Financial Statement

- a All payments by the Council shall be authorised, approved and paid in accordance with the Council's financial regulations, which shall be reviewed at least annually.

- b The Responsible Financial Officer shall make available to each councillor as soon as practicable after 31 March, 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. A Financial Statement prepared on the appropriate accounting basis (receipts and payments, or income and expenditure) for a year to 31 March shall be presented to each councillor before the end of the following month of May. The Statement of Accounts of the Council (which is subject to external audit), including the annual governance statement, shall be presented to Council for formal approval before 30 June.

20 Estimates/precepts

- a **The Council shall approve written estimates for the coming financial year.**
- b Any committee desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year.

21 Canvassing of and recommendations by councillors

- a Canvassing councillors or the members of a committee or sub-committee, directly or indirectly, for a staffing 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 applying for a staffing appointment.
- b A councillor or a member of a committee or sub-committee shall not solicit a person for a staffing appointment to or by the Council, or recommend a person for such appointment or for promotion; but, nevertheless, any such person may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- c If a candidate for any appointment under the Council is, to their knowledge, related to any Member of or the holder of any office under the Council, they and the person to whom they are related shall disclose the relationship in writing to the Town Clerk. A candidate who fails to do so shall be disqualified for such appointment or, if appointed, may be dismissed without notice. The Town Clerk shall report to the Council or to the appropriate Committee, any such disclosure. Where relationship to a member is disclosed, Standing Order Nos. 7 and 3 (b) (viii) shall apply as appropriate.
- d This standing order shall apply to tenders as if the person making the tender were a candidate for an appointment.

22 Inspection of documents

- a Subject to standing orders to the contrary or in respect of matters which are confidential, a

councillor may, for the purpose of his official duties (but not otherwise), inspect any document in the possession of the Council or a committee or a sub-committee, and request a copy for the same purpose.

- b The minutes of meetings of the Council, its committees or sub-committees shall be available for inspection by councillors and the public.

23 Unauthorised activities

- a Unless authorised by a resolution, no individual councillor shall in the name or on behalf of the Council, a committee or a sub-committee:
 - i. inspect any land and/or premises which the Council has a right or duty to inspect; or
 - ii. issue orders, instructions or directions.

24 Confidential business

- a Councillors and employees shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature.
- b A councillor in breach of the provisions of standing order 24(a) above may be removed from a committee or a sub-committee by a resolution of the Council.

25 General Power of Competence

- a **Before exercising the General Power of Competence, the Council must resolve at a meeting of the Council and each subsequent relevant annual meeting that it meets the conditions in paragraph b below.**
- b **At the time a resolution under paragraph a is passed:**
 - (i) the number of ordinary members of the council that have been declared to be elected, whether at ordinary elections or at a by-election, is equal or greater than two-thirds of the total number of members of the council;**
 - (ii) the clerk to the parish council holds:**
 - the Certificate in Local Council Administration**
 - the Certificate of Higher Education in Local Policy;**

- the Certificate of Higher Education in Local Council Administration; or
- the first level of the foundation degree in Community Engagement and Governance awarded by the University of Gloucestershire or its successor qualifications; and

(iii) the clerk to the parish council has completed the relevant training, unless such training was required for the purpose of obtaining a qualification of a description mentioned in paragraph b. "Relevant training" means training provided in the exercise of the general power; or provided in accordance with the national training strategy for parish councils adopted by the National Association of Local Councils, as revised from time to time.

26 Liaison with Principal Authority

- a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the councillors of the Principal Authority representing Leighton Linlade's electoral wards.
- b Unless the Council otherwise orders, a copy of each letter sent to the Principal Authority shall be sent to the Principal Authority councillors representing Leighton Linlade's electoral wards.

27 Financial matters

- a The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - i. the accounting records and systems of internal control;
 - ii. the assessment and management of financial risks faced by the Council;
 - iii. the work of the Internal Auditor and the receipt of regular reports from the Internal Auditor, which shall be required at least annually;
 - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments;
 - v. procurement policies, including the setting of values for different procedures where the contract has an estimated value as specified in the Financial Regulations.
- b **Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value as specified in Financial Regulations shall be procured on the basis of a formal tender as summarised in standing order 27(c) below.**

Any formal tender process shall follow the procedures laid out in the Financial Regulations.

- c **Where the value of a contract is likely to exceed £138,893 (or other threshold specified by the Office of Government Commerce from time to time) the Council must consider whether the Public Contracts Regulations 2006 (SI No.5, as amended) and the Utilities Contracts Regulations 2006 (SI No. 6, as amended) apply to the contract and, if either of those Regulations apply, the Council must comply with EU procurement rules.**

28 Variation, revocation and suspension of standing orders

- a Any or every part of the standing orders, except those which are mandatory by law, may be suspended by resolution in relation to any specific item of business.
- b A motion to permanently add to or to vary or to revoke one or more of the Council's standing orders shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

29 Standing orders to be given to councillors

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

30 Co-option

- a In the event of a co-option arising, to fill a casual vacancy caused by the death, resignation or disqualification of a Councillor, the Council's current policy shall apply ¹

APPENDIX 1

LEIGHTON-LINSLADE TOWN COUNCIL

¹ Policy to be adopted

CODE OF CONDUCT (adopted 28 May 2012)

*Appendices A and B adopted 25 June 2012
Appendix A updated and adopted 24 September 2012*

1.0 Introduction

- 1.1 This Code of Conduct (“the Code”) has been adopted by the Council as required by Section 27 of the Localism Act 2011 (“the Act”).
- 1.2 The Council has a statutory duty under the Act to promote and maintain high standards of conduct by members and co-opted members of the Council (“Members”) and the Code sets out the standards that the Council expects Members to observe.
- 1.3 The Code is not intended to be an exhaustive list of all the obligations that are placed on Members. It is the responsibility of individual Members to comply with the provisions of the Code as well as such other legal obligations as may apply to them from time to time.
- 1.4 The Code is consistent with the following principles (the “Nolan” principles of standards in public life):

- Selflessness
- Integrity
- Objectivity
- Accountability
- Openness
- Honesty
- Leadership

2.0 Who does the Code apply to?

- 2.1 The Code applies to all Members of the Council and to all co-opted members of any committee, sub-committee or joint committee or sub-committee of the Council.

3.0 When does the Code apply?

- 3.1 The Code applies whenever a person is acting in his/her official capacity as a Member of the Council or co-opted member in the conduct of the Council’s business or acting as a representative of the Council.

4.0 What standards of Conduct are Members expected to observe?

Selflessness:

- 4.1 Members must always act in the public interest.

- 4.2 Members must never use their position as a member of the Council improperly to secure for themselves or any other person, an advantage or disadvantage.
- 4.3 Members must not use the Council's resources improperly for personal or party political purposes.

Integrity

- 4.4 Members must not do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Council.
- 4.5 Members must not disclose information given to them in confidence.

Objectivity

- 4.6 When making decisions on behalf of the Council, including awarding contracts or making appointments, Members must do so on merit.
- 4.7 Members must have regard to any relevant advice provided to them by the Clerk to the Council and (where a separate appointment is made) to the Responsible Financial Officer.

Accountability

- 4.8 Members must act in accordance with their legal obligations, including the following Acts of Parliament that confer special obligations on elected councillors:

- Local Government Act 1972
- Employment Rights Act 1996
- Data Protection Act 1998
- Freedom of Information Act 2000
- Bribery Act 2010
- Equality Act 2010
- Localism Act 2011

- 4.9 Members must act in accordance with the Council's policies and reasonable requirements, including any protocols and codes of practice that may apply.

Openness

- 4.10 Members must give reasons for any decisions taken on behalf of the Council in accordance with any statutory requirements and the Council's Standing Orders.
- 4.11 Members must not prevent another person from gaining access to information to which that person is entitled by law.

Honesty

- 4.12 Members must declare any disclosable (pecuniary and non-pecuniary) interests or conflicts of interest that may arise in respect of their responsibilities as a Member of the Council.
- 4.13 Members must at all times ensure that their claims for expenses, allowances, and their use of facilities and services provided by the Council are strictly in accordance with the rules laid down on these matters.

Leadership

- 4.14 Members must set an example by their behaviour and shall act in a way that enhances public trust and confidence in the integrity of the Council and its Members.
- 4.15 Members must show respect and courtesy to others.
- 4.16 Members should value the Council's officers and work alongside them to achieve the Council's objectives. Members must on no account behave in a manner that might constitute bullying.

5.0 Register of Interests

- 5.1 The Monitoring Officer of Central Bedfordshire Council maintains a register of interests of Members and co-opted members of the Council.
- 5.2 The Council has determined what interests Members are required to enter in the register of interests, including those disclosable pecuniary interests prescribed by regulations. These disclosable interests are listed below.
- 5.3 Members must notify the Monitoring Officer of any disclosable pecuniary and non-pecuniary interests that should be recorded in the Council's register of interests.
- 5.4 Within 28 days of becoming a councillor, all Members must submit to the Monitoring Officer a list of their disclosable interests and must notify the Monitoring Officer of any changes as and when they arise.

APPENDIX A:

Interests defined by regulations made under section 30 (3) of the Localism Act 2011 and described in the table below:

<i>Subject</i>	<i>Description</i>
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain by the member or by his/her spouse or civil partner or by the person with whom the member is living as if they were spouses/civil partners.
Sponsorship	Any payment or provision of any other financial benefit (other than from the Council) made to the member for expenses incurred by him/her in carrying out his/her duties as a member, or towards his/her election expenses, during the 12 month period ending on either: a) within 28 days of this Code being adopted by the Council or b) within 28 days of the member's election or the co-opted member's appointment, whichever is the later.
	This includes any payment or financial benefit from a trade union

	within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the member or between his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners (or a body in which such a person is a partner in a firm, a director of an incorporated body or holds the beneficial interest in securities*) and the Council -
	(a) under which goods or services are to be provided or works are to be executed; and
	(b) which has not been fully discharged.
Land	Any beneficial interest in land held by the member or by his/her spouse or civil partner or by the person with whom the member is living as if they were spouses/civil partner which is within the area of the Council. “Land” excludes an easement, servitude, interest or right in or over land which does not give the member or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.
Licences	Any licence (alone or jointly with others) held by the member or by his/her spouse or civil partner or by the person with whom the member is living as if they were spouses/civil partners to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	Any tenancy where (to the member’s knowledge)-
	(a) the landlord is the Council; and
	(b) the tenant is a body in which the member, or his/her spouse or civil partner/the person with whom the member is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest held by the member or by his/her spouse or civil partner or by the person with whom the member is living as if they were spouses/civil partners in securities* of a body where -
	(a) that body (to the member’s knowledge) has a place of business or land in the area of the Council; and
	(b) either -
	(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or
	(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

* “Securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

APPENDIX B:

An interest which relates to or is likely to affect:

- (i) any body of which the member is in a position of general control or management and to which he/she is appointed or nominated by the Council;
- (ii) any body –
 - a. exercising functions of a public nature;
 - b. directed to charitable purposes; or
 - c. one of whose principal purposes include the influence of public opinion or policy (including any political party or trade union)of which the member of the Council is a member or in a position of general control or management;
- (iii) any gifts or hospitality worth more than an estimated value of £50 which the member has received by virtue of his or her office

ADOPTED BY COUNCIL AT THE ANNUAL MEETING
28 MAY 2012

Appendices A and B adopted 25 June 2012

Appendix A updated and adopted 24 September 2012



LEIGHTON-LINSLADE TOWN COUNCIL

DISPENSATIONS PROCEDURE

1. INTRODUCTION

Under the Localism Act 2011 (“the Act”), a Member or Co-opted Member who has a Disclosable Pecuniary Interest in a matter which is under consideration, may not participate in the consideration of that matter unless he/she has first obtained a dispensation from the ‘relevant authority’.

Previously dispensations were issued by the Standards Committee of the District Council, but as Town Councils are defined as a ‘relevant authority’ under the Act, they are now responsible for determining requests for a dispensation by a Town Councillor under Section 33.

This procedure explains :

- (a) the purpose and effect of dispensations;
- (b) the procedure for requesting dispensations;
- (c) the criteria which are applied in determining dispensation requests;
- (d) the terms of dispensations;
- (e) general dispensations.

2. PURPOSE AND EFFECT OF DISPENSATIONS

In certain circumstances, Councillors may be granted a dispensation which enables them to take part in Council business where this would otherwise be prohibited because they have a Disclosable Pecuniary Interest. Provided Councillors act within the terms of their dispensation there is deemed to be no breach of the Code of Conduct or the law.

Dispensations may allow the Councillor to participate in any :

- (a) discussion of the matter at the meeting(s); and/or
- (b) vote taken on the matter at the meeting(s).

If a dispensation is granted, the Councillor may remain in the room where the meeting considering the business is being held.

Note:

If a Town Councillor participates in a meeting where he/she has a Disclosable Pecuniary Interest and he/she does not have a dispensation, they may be committing a criminal offence under Section 34 of the Localism Act 2011, resulting in a fine of up to £5,000 and be disqualified from holding office as a Councillor for up to five years if found guilty.

3. PROCEDURE FOR MAKING REQUESTS

Any Councillor who wishes to apply for a dispensation must complete a Dispensation Request Form and submit it to the Proper Officer of the Town Council (i.e. the Town Clerk) as soon as possible before the meeting for which the dispensation is required.

4. CONSIDERATION BY THE TOWN COUNCIL

The Town Council delegates authority to the Full Council, or the appropriate Committee or Sub-Committee of the Council to grant dispensations.

A dispensation may be granted to a Councillor who has a Disclosable Pecuniary Interest to participate in any discussion of a matter at a meeting and/or to participate in any vote on the matter if it is considered that :

- (a) so many Members of the Council/Committee have Disclosable Pecuniary Interests that it would impede the transaction of the business (i.e. the meeting would be inquorate); or
- (b) without the dispensation the representation of different political groups on the Council (if these exist) would be so upset as to alter the likely outcome of any particular vote;
- (c) the dispensation is in the interests of persons living in the authority's area; or
- (d) it is otherwise appropriate to grant a dispensation.

If the adopted Code prevents a Councillor speaking or voting where they have an interest other than a Disclosable Pecuniary Interest, the Town Council may wish to extend the provisions of the above paragraphs to apply in the same way to those interests, but this is at the discretion of the Council.

5. CRITERIA FOR DETERMINATION OF REQUESTS

The following are examples of criteria that may be appropriate in determining a request for a dispensation, but the Council will need to determine the factors they consider relevant :

- (a) the nature of the Councillor's prejudicial interest e.g. is it trivial or remote?
- (b) the need to maintain public confidence in the conduct of the Council's business;
- (c) in certain circumstances, the possible outcome of the proposed vote;
- (d) the need for efficient and effective conduct of the Council's business;

- (e) the Member has a particular expertise or knowledge in the matter that may be useful to its consideration (e.g. a Member could be allowed to speak, but not vote);
- (f) the interest is common to the Member and a significant proportion of the general public;
- (g) any other relevant considerations.

6. TERMS OF DISPENSATIONS

Dispensations may be granted :

- (a) to participate in any discussion of the matter; and/or
- (b) to participate in any vote on the matter;
- (c) for one meeting; or
- (d) for a limited period.

7. DISCLOSURE OF DECISION

Any Councillor who has been granted a dispensation must declare the nature and existence of the dispensation before the commencement of any business to which it relates. A copy of the dispensation will be kept with the Register of Councillors' Interests.

8. GENERAL DISPENSATIONS

The Council may wish to consider granting a general dispensation to all Councillors in situations where every Member is likely to have a Disclosable Pecuniary Interest e.g. when setting the precept and annual budget.

Adopted by Council 28 January 2013