

# Welshpool Town Council

# STANDING ORDERS



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Adopted

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# Welshpool Town Council

# STANDING ORDERS

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More detailed information on the operation of a town council is contained in *Managing a Welsh Community or Town Council (A reference guide for clerks)* by C. Lovell and published by the Society of Local Council Clerks. It should be noted that where this differs from these Standing Orders the Standing Orders take precedence unless in contravention of the law. These Standing Orders replace all previous issues.

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## A. TYPES OF MEETING

### 1. Normal meetings

- 1.1 **Meetings of the Full Council shall be held on the fourth Wednesday of each month unless otherwise agreed between the Chair of the Council and or the Town Clerk and subject to at least 3 clear days' notice.**
- 1.2 **Meetings of any Committee shall be held as agreed at the Annual Meeting of the Council unless agreed between the Committee Chair of the Council and or the Town Clerk and subject to at least 3 clear days' notice.**
- 1.3 All Councillors shall receive notice of any meeting by post to their last known place of residence. Only will notices be issued by email when the Welsh Government has approved their official use or to a Member who has asked for them to be issued by email as well as in paper form.
- 1.4 Notices of all Council and Committee Meetings shall be posted on the Council's Web Site and on the Town Council Notice Boards at the Office and Town Hall at least 3 clear days before any meeting takes place.

### 2. Special Meetings

- 2.1 A special meeting of the Council may be called by the Chair of the Council, the Deputy Chair (in the absence of the Chair) or the Town Clerk to conduct urgent business.
- 2.2 A special meeting of a Committee may be called by the Chair of that Committee, the Chair of the Council or the Town Clerk.
- 2.3 A special meeting of the Council or a Committee can be called by no less than four Councillors by request to the Town Clerk.
- 2.4 **The Agenda for any special meeting shall be issued with at least 3 clear days' notice that such a meeting is to take place.**

### 3. Statutory Meetings

- 3.1 **In an election year the Annual Council Meeting shall be held on or Within 14 days following the day on which the Councillors elected take office.**

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- 3.2 In a year which is not an election year the Annual Council Meeting shall be held on the fourth Wednesday in May.**
- 3.3 At each Annual Meeting of the Council the Council will confirm that it meets the Power of Well-being. If such cannot be confirmed such action is to be taken to meet the requirements as soon as possible.

## 14 PROCEDURES AT MEETINGS

### 4 Chair

- 4.1 The Chair of the Council Meeting shall be the Town Mayor or in the absence of the Town Mayor the Deputy Town Mayor.**
- 4.2 In the absence of both the Town Mayor and Deputy Town Mayor the Chair of the Finance Committee shall preside.**
- 4.3 In the absence of the Town Mayor, Deputy Town Mayor and the Chair of Finance Committee the first business of the meeting shall be to elect a Chair for that meeting.
- 4.3 The Committees shall elect their own Chair and Vice Chair at their first meeting following the Annual Meeting.

### 5. Quorum at meetings

- 5.1 Three members or one third of the total Membership, whichever is the greater, shall constitute a quorum at all Meetings of the Full Council.** Such Quorum to include any members excluded from the meeting due to declaration of interests.
- 5.2 Three members or one third of the total Membership, whichever is the greater, shall constitute a quorum at all Committee Meetings including Sub Committee Meetings.**
- 5.3 For the purposes of a quorum any youth representatives shall not be counted.
- 5.4 If a quorum is not present or if during the meeting the number of Councillors present (not counting those debarred by reason of declared interest) falls below the required quorum, the meeting shall be adjourned and business not transacted shall be so transacted at the next meeting or on such other date and time as the Chair or Town Clerk may fix.

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## 6. Order of business

- 6.1 **At each Annual Council Meeting the first business shall be to elect a Town Mayor and Chairman of the Council.**
- 6.2 **The Chair shall be known as the Town Mayor.**
- 6.3 **To receive the Chair's declaration of acceptance of office or, if not then received, to decide when it shall be received.**
- 6.4 **In the year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations by way of seeking a further election. Co-option is only to be considered an absolute last resort.**
- 6.5 **To decide when any declarations of acceptance of office which have not been received as provided by law shall be received.**
- 6.5 To elect a Vice Chair of the Council. The Vice Chair shall also be known as the Deputy Town Mayor.
- 6.7 To include in the Agenda the following:
- To appoint representatives to outside bodies on an annual basis.
  - To appoint Committees and Sub Committees on an annual basis.
  - To approve the remit and authority of such Committees for the ensuing year on an annual basis.
  - To approve directors for the Council Companies on an annual basis.
  - To appoint two youth representatives to the Council (if required) on an annual basis.
- 6.9 **At every Council meeting other than the Annual Meeting the first business shall be to appoint a chairman if the Chair, Vice Chair or Chair of the Finance Committee shall be absent and to receive such declarations of acceptance of office (if any) and undertaking to observe the Council's code of conduct as are required by law to be made or, if not then received, to decide when they shall be received.**
- 6.10 Every year, after the Council Meeting at which the budget is set for the ensuing year is approved; the full Council shall review the pay and conditions of existing employees.

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- 6.11 After the first business has been completed, the order of business, unless the Council otherwise decides on the grounds of urgency, shall be as follows:
- To allow a public question time as submitted in writing to the Town Clerk before the meeting.
  - To receive apologies for absence.
  - To consider the minutes of the immediate past meeting. These shall be circulated at least three clear days prior to the meeting.

**After consideration, to approve and sign the minutes, either corrected or uncorrected, as a correct record** the order of business to be confirmed by the Chair.

Also to include on any agenda the following:

**To deal with business expressly required by statute to be done.**

Disclosure of interest on any items to be discussed.

Chair's announcements and communications.

To receive a financial report from the Responsible Financial Officer.

To approve orders for payment.

To receive reports and recommendations from the various Committees appointed by the Council.

To receive any reports from our County Councillor(s).

To receive reports from representatives to outside bodies where appropriate.

To consider applications for financial assistance.

To consider any matters put on the Agenda by Councillors after prior notice to the Town Clerk.

Any relevant correspondence not dealt with by Committees.

- 6.12 A motion to vary the order of business on the grounds of urgency or due to members of the public being present and interested in only one or a limited number of items may be proposed by the Chair or by any Member, and if proposed by the Chair, may be put to the vote without being seconded and shall be put to the vote without discussion.

## 15 CONDUCT AT MEETINGS

### 7. Rules of Debate

- 7.1 No discussion of the Minutes of the immediate previous meeting shall take place other than about their accuracy or corrections to the Minutes and such alterations shall be initialled by the Chair.

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- 7.2 A resolution or amendment shall not be discussed unless it has been proposed and seconded or a recommendation put by the Chair of Committee on behalf of that Committee unless proper notice has already been given via the agenda. Any other resolution may be required by the Chair, be reduced to writing and handed to her/him before it is put to Council or put to a Committee.
- 7.3 A Member when seconding a resolution or amendment may, if s/he then declares her/his intention to do so, reserve her/his speech until a later period of debate.
- 7.4 A Member shall direct her/his speech to the question under discussion or to a personal explanation or to a question of order.
- 7.5 **No speech by a mover of a resolution shall exceed ten minutes and no other speech shall exceed five minutes except by the Consent of the Council.**
- 7.6 An amendment shall be either:  
To leave out words.  
To leave out words and insert others.  
To insert or add words.
- 7.7 An amendment shall not have the effect of negating the resolution before the Council.
- 7.8 If an amendment be carried, the resolution, as amended, shall take the place of the original resolution and shall become the resolution upon which any further amendment may be moved.
- 7.9 A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
- 7.10 **The mover of a resolution or of an amendment shall have a right of reply, not exceeding five minutes.**
- 7.11 A Member may speak on a point of order or on a personal explanation. A member speaking for these purposes shall be heard forthwith. A personal explanation shall be confined to some material part of a former speech by him/her which may have been misunderstood.
- 7.12 A motion or amendment may be withdrawn by the proposer with the consent of the Council, which shall be signified without discussion, and no member may speak upon it after permission has been asked for its withdrawal unless such permission has been refused.

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7.13 When a resolution is under debate no other resolution shall be moved except The following:

- To amend the resolution.
- To proceed to next business.
- To adjourn the debate.
- That the question now be put.
- That a Member named shall not be further heard.
- That a Member named leaves the meeting.
- That the resolution be referred to a Committee.
- To exclude the public and press.
- To adjourn the meeting.

7.14 A member may remain seated when speaking unless requested to stand by the Chair.

7.15 The ruling of the Chair on a point of order or on the admissibility of a personal explanation shall not be discussed.

7.16 Any member who wishes to speak shall raise their hand and shall not speak until asked to do so by the Chair.

7.17 Members shall address the Chair.

7.18 If two or more members wish to speak the Chair shall decide who to call upon.

7.19 For clarity the Mayor or Chair may direct (only at the Full Council Meetings) that there shall be only one statement or speech allowed per member for each resolution, recommendation or amendment. The proposer (or Chair of Committee introducing the recommendation) may also speak once in addition to the introduction of the subject matter.

## 8. Voting & Elections

8.1 Members shall vote with a show of hands except where at least 2 Members of those members present or the Mayor ask for a secret vote.

8.2 If the vote is for the election of Chair or Vice Chair of the Council or its Committees or other Council appointments then such a vote shall be in secret.

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- 8.3 Where more than two persons have been nominated for any position to be filled by the Council and of the votes given there is not an absolute majority in favour of one person, the name of the person having the least number of votes shall drop off the list and a fresh vote taken, and so on until a majority of votes is given in favour of one candidate.
- 8.4 Any Youth representatives are not able to vote on any agenda item but may take part in the debate.
- 8.5 **The votes of all meetings shall be recorded if at least one member requires it and shall be recorded by the Town Clerk. Such a request must be made prior to moving to the next business.**
- 8.5 **If at any meeting the voting shall be tied then the Chair shall have a casting vote whether or not he/she has voted already.**
- 8.7 **If the person presiding at the Annual Meeting would have ceased to be a Member of the Council but for the statutory provisions which preserve the membership of the Chair and Vice Chair until the end of their term of office he or she may not give an original vote in an election for Chair.**
- 8.8 **The person presiding must give a casting vote whenever there is an equality of votes in an election for Chair.**
- 8.9 **Where the Chair is seeking re-election it must be in accordance with the LGA 1972 in that they should, at the appropriate point in the agenda, hand over the Chairing of the Meeting to the Deputy Chair and leave the room.**
- 8.10 **Should there be insufficient nominations for Councillors in an Election Year or should a vacancy occur between Election Years the Council's first option for filling such a vacancy shall be by election and only to fill by co-option as a last resort.**
- 9.0 **Sealing of documents**
- 9.1 All documents shall be sealed by the Mayor and Deputy Mayor (or such other Councillor if one of either the Mayor or Deputy Mayor is not available as appointed by the Full Council or in an emergency the Mayor (or in the absence of the Mayor the Deputy Mayor))

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## **10. Resolutions**

### **10.1 Resolutions Moved on Notice**

- 10.1 Except as provided by these Standing Orders, no resolution may be moved unless the business to which it relates has been put on the Agenda by the Town Clerk or the Mover has given notice in writing of its terms and has delivered the notice to the Town Clerk at least seven clear days before the next meeting of the full Council.
- 10.2 The Town Clerk shall date every notice of motion when received by him, shall number each notice in the received. They shall be open to inspection for every member of the Council or members of the public.
- 10.3 The Town Clerk will include in the agenda for every meeting all notices of motion properly given in the order in which they have been received unless the member giving the notice of motion has stated in writing that they wish to withdraw it.
- 10.4 If a motion specified in the agenda is not moved either by the member who gave notice of it or by another member, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.
- 10.5 Every resolution or recommendation shall be relevant to some subject over which the Council has power or duties or which affects the area of Welshpool Town Council.

### **11. Resolutions Moved without Notice**

- 11.1 Resolutions dealing with the following matters shall be moved without notice:
- 11.1.1. To appoint a Chair of the meeting.
- 11.1.2. To correct the minutes.
- 11.1.3. To approve the minutes.
- 11.1.4. To alter the order of business.
- 11.1.5. To proceed to the next business.
- 11.1.6. To close or adjourn the debate.
- 11.1.7. To refer a matter to Committee.
- 11.1.8. To appoint a Committee or members thereof.
- 11.1.9. To adopt a report.
- 11.1.10. To authorise the sealing of documents.
- 11.1.11. To amend a motion.
- 11.1.12. To give leave to withdraw a motion or amendment.

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11.1.13. To extend the time limit for speeches.

11.1.14. To exclude the public or press.

11.1.15. To silence or eject a Member named for misconduct.

11.1.16. To give the consent of the Council where these Standing Orders require such consent.

11.1.17. To suspend any Standing Order for reasons of urgency

11.1.18. To adjourn any meeting.

## 12. Alterations of Resolution

12.1 A mover of a motion may with the consent of the seconder move amendments to their own motion.

## 13. Reversion of Previous Resolution

**13.1 A decision (whether affirmative or negative) of the Council shall not be reversed within six months except either by a special resolution, the written notice whereof bears the names of at least four members of the Council, or by a resolution moved in pursuance of the report or recommendation of a Committee or the Town Clerk if there is a material change in circumstances.**

**13.2 When a special resolution or any other resolution moved under the provisions of paragraph 14.1 of this order has been disposed of, no similar resolution may be moved within a further six months.**

## 14. Right to Reply

14.1 The mover of a resolution shall have a right to reply immediately before the resolution is put to the vote. If an amendment is proposed the mover of the amendment shall be entitled to reply immediately before the amendment is put to the vote. A member exercising a right of reply shall not introduce a new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

## 15. Questions

15.1 A member may ask the Chair of the Council or the Town Clerk any question concerning the business of the Council, provided 48 hours' notice of the question has been given to the person to whom it is addressed.

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15.2 Every question shall be put and answered without discussion.

15.3 A person to whom a question has been put may decline to answer.

## 16. Closure

16.1 At the end of any speech a Member may, without comment, move “that the question be now put”, “that the debate be now adjourned” or “that the Council do now adjourn”.

16.2 If such motion is seconded, the Chair shall put the motion but, in the case of motion “that the question be now put” only if he is of the opinion that the question before the Council has been sufficiently debated.

16.3 If the motion “that the question be now put” is carried, s/he shall call upon the mover to exercise or waive her or his right of reply and shall put the question immediately after that right has been exercised or waived.

16.4 The adjournment of a debate or of the Council shall not prejudice the mover’s right of reply at the resumption.

## 17. Admission of the Public and Press at Meetings

17.1 **The public and press shall be admitted to all meetings of the Council and its Committees which may, however, temporarily exclude the public by means of the following resolution:**

**“that in the view of the confidential or special nature of the business about to be transacted, it is advisable in the public interest that the press and public be temporarily excluded and they are instructed to withdraw or the matter relates to a staff matter”.**

17.2 The Council shall, if requested, state their reason for exclusion as per 17.1.

17.3 At all meetings of the Council the Chair may at her or his discretion and at a convenient time in the transaction of business, adjourn the meeting so as to allow any members of the public to address the meeting in relation to the business being transacted at the meeting.

17.4 The Town Clerk shall afford to the press reasonable facilities for the taking of their report of any proceedings at which they are entitled to be present.

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- 17.5 There shall be no audio or video recording or photographs at the meeting without the express approval of the Chair of the Council and the Town Clerk.
- 17.6. If a member of the public interrupts the proceedings at any meeting, the Chair may, after warning, order that he or she be removed from the meeting and may adjourn the meeting for such period as is necessary to restore order.

### D. CONDUCT OF MEMBERS

- 18.1 All members must observe the Code of Conduct, which was adopted by the Council from time to time, a copy of which will be issued to each Councillor in the information Pack on election and is available from the Town Clerk.**
- 18.2 No member shall at a meeting persistently disregard the ruling of the Chair, wilfully obstruct business, or behave irregularly, offensively, improperly or **in such a manner as to bring the Council into disrepute.**
- 18.3 If, in the opinion of the Chair, a Member has broken the provisions of section above of this Order, the Chair shall express that opinion to the Council and thereafter any Member may move that the member named be no longer heard or that the Member named do leave the meeting, and that the motion, if seconded, shall be put forth with and without discussion.
- 18.4 Upon receipt of a complaint in writing alleging a breach by a member of the Code of Conduct, the council's complaints procedure shall be followed. The Town Clerk shall notify the complainant of their rights to make a complaint to the Standards Committee of Powys County Council or the Local Government Ombudsman.
- 18.5 If the Council or a Member reasonably believes another Member is in breach of the code of conduct that Member is under a duty to report that breach to the Community Sub Committee of the Standards Committee of Powys County Council the Member in question being informed of the proposal.** Prior to the above such breach to be resolved locally if possible in line with the Council's complaints procedure.
- 18.6 If either of the motions mentioned in section 18.3 above is disobeyed the Chair may adjourn the meeting or take such further steps as may be reasonably necessary to enforce them.

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18.7 If any Member shall be considered by the Town Clerk to be in breach of the Code of Conduct or the Standing Orders such breach shall be reported to the Chair and the Council will be asked as a corporate body to decide on such matter.

### 19. Interests

**19.1 If a Member has a personal interest as defined by the Code of Conduct adopted by the Council then that interest must be declared and a decision made by the Member to either stay or withdraw from the meeting.**

### 20. Canvassing of and Recommendations by Members

20.1 Canvassing of Members of the Council or any of its Committees, directly or indirectly, for any appointment under the Council shall disqualify the Candidate for such appointment.

20.2 The Town Clerk shall make known the purpose of this paragraph of these Standing Orders to all Councillors and/or Candidates.

### 21. Confidential Business

21.1 No member of the Council or of any Committee or Sub Committee shall disclose to any person not a member of the Council any business declared to be confidential by the Council, the Committee or the Sub Committee as the case may be.

21.2 Any member in breach of the above provisions of this Standing Order shall be removed from any Committee or Sub Committee of the Council by the Council or Town Clerk.

21.3 If appointed, Youth representatives may not take part in any meeting with regard to confidential matters and must not be present in the room unless the Council consents to such attendance.

21.4 Youth representatives may not receive confidential papers of the Council.

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## 22. Unauthorised Activities

22.1 No Member of the Council shall act in the name of the Council, except by council resolution, to :

- i) Inspect land or premises or
- ii) Issue orders or instructions Issue orders or instructions or directions either to staff, contractors or others, unless with the express approval of the Town Clerk or a Council resolution.
- iii) Except the Mayor (or in absence the Deputy Mayor) make public statements or announcements on behalf of the Council.

## 23. Complaints

23.1 The Council shall deal with complaints of bringing the Council into disrepute or maladministration in accordance with its complaints procedure.

23.2 Where those complaints should properly be directed to the Standards Committee of Powys County Council or the Local Government Ombudsman or in the event of a failure to resolve a complaint to the satisfaction of the complainant the Town Clerk will notify complainants of their right to complain direct to those bodies.

## E. COMMITTEES

*Reference should also be made to the following Special Meetings, Election of Chair, Quorum, Appointment of Committees and Voting*

## 24. Committees and Sub Committees

24.1 The Council at its Annual Meeting shall elect standing Committees and may at any other time appoint such Committees by election as are necessary and decide upon their membership, remit and authority for the ensuing year. This is to be done by Councillors indicating on a specific schedule in April of each year upon which Committees they wish to serve. The Town Clerk will, where ever possible, allocate Committees to preferred choices using the electoral process where this is not possible.

24.2 All Committees except Planning and Development shall comprise of 7 Councillors (plus the Mayor who shall be ex officio) appointed at the Annual Meeting.

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The Planning and Development Committee shall comprise of 10 Councillors (plus the Mayor who shall be ex officio) appointed at the Annual Meeting.

The Council may also appoint in addition a Youth Representative to each Committee.

24.3 Each Councillor may serve on up to 3 Committees in any one year. These Committees are listed here:

- Planning and Development Committee
- Strategy and Policy Committee
- Finance & General Purposes Committee
- Council Services Committee
- Care and Community Committee
- Events and Tourism Committee

and any youth representatives may join up to 3 Committees as per 24.3

24.4 The Mayor (and in the Mayor's absence the Deputy Mayor) shall be an ex-officio Member of all Committees and shall be voting members of every Committee.

24.5 Each Member may only be elected Chair of one of the Standing Committees.

24.6 Other than the Planning and Development Committee (which has some delegated authority), Committees do not have delegated authority and must report their recommendations and findings to the full Council for approval or otherwise in accordance with the remit approved at the Annual Meeting of the Council each year.

24.7 The Planning and Development Committee has delegated authority as follows:

All planning applications may be determined by the Planning and Development Committee (unless the Chair feels that such application is of a sensitive nature and should be referred with a recommendation to the Full Council.

All other matters are to be decided by way of recommendation to the Full Council in accordance with the remit confirmed at the Annual Meeting of the Council.

24.8 Every member may attend and take part in Committee Meetings but will not have a vote.

24.9 The Mayor (and in the Mayor's absence the Deputy Mayor) shall be ex-officio Members of all Committees and shall be voting members of every Committee.

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24.10 Other than the Planning and Development Committee (which has some delegated authority), Committees do not have delegated authority and must report their recommendations and findings to the full Council for approval or otherwise in accordance with the remit approved at the Annual Meeting of the Council each year.

24.11 The Planning and Development Committee has delegated authority as follows:

All planning applications may be determined by the Planning and Development Committee (unless the Chair feels that such application is of a sensitive nature and should be referred with a recommendation to the Full Council.

All other matters are to be decided by way of recommendation to the Full Council in accordance with the remit confirmed at the Annual Meeting of the Council.

24.12 Each Member may only be Chair of one Committee although they can be Vice Chair of more than one Committee.

### 25. Planning Applications

25.1 The Town Clerk on receipt of planning applications shall record such applications for submission to the first available meeting of the Planning and Development Committee or Full Council as appropriate.

25.2 The Town Clerk shall make as much information available as possible to the Planning and Development Committee prior to such meeting taking place.

### 26. Voting in Committees

26.1 Members of Committees (including ex-officio the Mayor and Deputy Mayor) are entitled to Vote shall do so by a show of hands or if 2 of those members present requests it a secret ballot.

26.2 A Councillor is not bound to uphold the way he or she voted in Committee when the resolution is debated by the full Council should there be a vote at that time.

**26.3 The Chair of Committees and any Sub Committees shall in the case of An equality of votes has a second or casting vote which must be used except in exceptional circumstances.**

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## **27. Committee rights**

27.1 For clarity a Councillor who has been suspended or temporarily removed from a committee by the Council will not be allowed to speak and make recommendations to the committee until such time as the suspension / temporary removal has been rescinded by the Council.

27.2 Youth Representatives may attend Council and Committees but does not have a vote.

## **28. Sub Committees**

28.1 The Committees of the Council may from time to time appoint sub groups or Sub Committees to carry out a specific task or activity which then report back to the appointing Committee and not direct to Full Council.

28.2 The Committee shall set any remit for this purpose.

## **29. Advisory Committees**

29.1 The Council and/or the Committees may from time to time create Advisory Committees which shall have a specific remit and will make recommendations to the appropriate Committee or Full Council (if so appointed by it).

29.2 An Advisory Committee may comprise non Council Members.

29.3 Members of an advisory committee shall not retain or be subject to any liability whatsoever for any recommendations put forward for whatever reason.

## **30. Council Companies**

30.1 Councillors appointed as Directors of Council Owned Companies shall be able to vote on matters related to that Company when debated in full Council or Committees.

30.2 Welshpool Town Council and Councillors shall not be responsible for any liability whatever relating to Council Companies or its successors, no matter how that liability arises, save for those set out in Company law.

30.3 The Company Secretary to each Council owned Company shall be the Town Clerk.

30.4 The Directors of Council owned Companies shall be made up (subject to an individual Councillors wishes) of those who are members of the Committee which covers the relevant subject matter for that Company.

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## F. FINANCE

### 31. Financial Matters

31.1 The Council has considered and approved financial regulations, financial risk assessment and council risk assessment which have been prepared by the Town Clerk and Responsible Financial Officer. Such regulations shall be reviewed in February of each year.

31.2 Such regulations shall include arrangements for the following:

The accounting records and systems of internal control.

The assessment and management of risks faced by the Council.

The work of the internal auditor and the receipt of regular reports from the internal auditor which shall be at least annually.

The financial reporting requirements of Members and local electors at each Council Meeting.

Procurement shall be subject to the Council's Policy on this subject.

### 32. Resolutions on Expenditure

32.1 Any resolution (which is moved otherwise than in pursuance of a recommendation of the Finance Committee or of another Committee after recommendation by the relevant Finance Committee and which, if carried, would in the opinion of the Chair, substantially increase expenditure upon any service which is under the management of the Council or reduce the revenue at the disposal of any Committee, or which would involve capital expenditure, shall when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council, and Committee affected by it shall consider whether it desires to report there on (and the Finance Committee shall report on the financial aspects of the matters).

32.2. All expenditure shall be approved by Full Council through the orders for payment or Committee recommendation approved by Full Council except where the item is within budget in the normal course of Council business in which case the Town Clerk authorises such expenditure with those guidelines.

### 33. Expenditure

33.1 **Orders for the payment of money shall be authorised by resolution of the Council with three signatories on all cheques (two Councillors and the Town Clerk)** or by BACS (two Councillors and the Town Clerk authorising) has been approved by Council for salaries and small payments which shall be authorised by the Town Clerk in line with 32.2.

# Welshpool Town Council

## STANDING ORDERS

- 33.2 Where payments are made prior to the approval of the Orders for Payment these shall be properly documented and presented at the first opportunity for approval.
- 33.3 Under no circumstances must blank cheques be signed except by the Town Clerk (when on Holiday) leaving the Councillors signatures for when the cheque is completed. In any event the minimum number of cheques shall be dealt with in this way.
- 33.4 The Town Clerk may authorise all payments as long as they meet the following:
- i) Such payments have been approved by the Full Council.
  - ii) Such payments are within or allowed for in the Council's approved budget.
  - iii) Such payments are approved within the delegated authority of the Town Clerk.

### 34. Accounts and Financial Statements

- 34.1 Except as provided for in section 33 of these Standing Orders the following financial and accounting practice shall apply to the Council:
- A financial statement shall be given to each Council Meeting.  
A statement of bank balances shall be given to each Council Meeting.  
A budget comparison shall be issued at least quarterly to the Council.  
A bank reconciliation statement is to be made available to the Council and the Finance Committee each month.
- 34.2 The Annual Accounts shall be made available to the Council no later than 30th May following the end of the year with the annual return presented in accordance with the Welsh Government timetable.

### 35. Budgets Estimates and precept

- 36.1 The Council shall have presented to it a proposed budget for the following year no later than the December Council Meeting for discussion and approval before the January meeting of the Council.
- 36.2 The precept shall be set no later than **31st January** or such date as is required by Powys County Council during that month.

# Welshpool Town Council

# STANDING ORDERS

## G. STAFF

### 36. Proper Officer of the Council

- 36.1 The Proper Officer shall be the Town Clerk & Responsible Financial Officer.
- 36.2 The Town Clerk's duties shall include:
- To receive declarations of acceptance of office.
  - To receive and record notices disclosing interests at meetings.
  - To receive and retain plans and documents.
  - To sign notices or other documents on behalf of the Council.
  - To receive copies of the bylaws made by the County Council.
  - To certify copies of Bylaws made by the Council.
  - To sign and issue the summons to attend all meetings of the Council.
  - To keep proper records of Council meetings.
  - To administer the Council and its services in accordance with Council Policy and decisions.

### 37. Other staff of the Town Council

- 37.1 The Council may appoint staff as is needed to enable the Council to function (including all its services) via the Town Clerk except in the case of senior staff. In that case the Town Clerk will consult with the Council on the process for appointment.

### 38. Discussions and Resolutions affecting Employees of the Council

- 38.1 If at a meeting there arises any discussion or question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service, of any person employed by the Council, it shall not be considered until the Council or Committee has excluded the press or public.

## H. MISCELLANEOUS

### 39. Sealing of Documents

- 39.1 A document shall not be sealed unless signed by the Mayor and Deputy Mayor (or other Councillor) as approved by a Council resolution to authorise the document to be so sealed.

# Welshpool Town Council

# STANDING ORDERS

## **40. Liaison with Powys County Council**

- 40.1 A summons and Agenda for each Full Council meeting shall be sent, together with an invitation to attend, to the County Councillors of the appropriate wards of Welshpool Town Council.
- 40.2 Copies of Council Minutes shall be made available via the Web Site for the County Council in line with the Charter between the two authorities.

## **41. Inspection of Documents**

- 41.1 A Member may for the purpose of his duty as such (but not otherwise) inspect any document in possession of the Council or a Committee, and if copies are available shall, on request, be supplied for the like purpose with a copy.
- 41.2 All minutes kept by the Council and by any Committee shall be open to inspection by a Member of the Council except those minutes relating to matters held in private session.**

## **42. Youth Council and Youth Representatives**

- 42.1 The Council shall hold a youth council for young people to discuss local issues and this shall be with the High School.
- 42.2 The Council may appoint up to 2 youth representatives each year at the Council Meeting held in April for confirmation at the Annual Meeting.
- 42.3 The appointments when made shall be followed in accordance with current Welsh Assembly Government Guidelines.

## **43. Variation and Revocation of Standing Orders**

- 43.1 Any or every part of the Standing Orders except those printed in Bold Type may be suspended by resolution in relation to any specific item of business.**
- 43.2 A resolution permanently to add, vary or revoke a Standing Order shall when proposed and seconded, stand adjourned without discussion to the next meeting of the Full Council.
- 43.3 Any changes as directed by the Welsh Assembly with regard to youth representatives under the Local Government (Wales) Measure 2011 shall be incorporated into the Standing Orders at the earliest opportunity.

# Welshpool Town Council

# STANDING ORDERS

## 44. Suspending of Standing Orders

44.1 **Any or every part of the Standing Orders except those printed in Bold Type may be suspended by resolution in relation to any specific item of business.**

44.2 A resolution to suspend Standing Orders shall when proposed and seconded, voted upon and then dealt with accordingly.

## 45. Copies of Standing Orders to Members

45.1 A copy of these Standing Orders shall be given to each member of the Council by the Town Clerk upon receipt of Declaration of Acceptance of Office and written undertaking to observe the Code of Conduct adopted by the Council and shall be posted on the Council's Web Site.

Robert A Robinson FRICS FILCM  
Town Clerk and Responsible Financial Officer  
Welshpool Town Council

## J. RELEVANT DOCUMENTS TO FORM PART OF THESE STANDING ORDERS

### 46.1 Copy of the Council Complaints Procedure

The Council complaints procedure referred to in Standing Orders is set out here:

#### Introduction

From time-to-time members of the public may have complaints about the administration, procedures and code of conduct of Councillors or of the staff of a Welshpool Town Council.

Local councils are subject to the jurisdiction of the Ombudsman, however a local solution should be sought before making such an approach and this policy sets out the way this is to be done.

Complaints against the Town Clerk or staff are to be dealt with via the employment legislation.

Complaints by a Councillor towards another Councillor shall be included in the Complaints procedure.

# Welshpool Town Council

# STANDING ORDERS

Complaints may also be submitted to the Standards Board for Wales where there is perceived to be a breach of Welshpool Town Council's Code of Conduct for members – which equates to the Model Code of Conduct Order 2001 re the Local Government Act 2000 Part III, particularly the sections dealing with Prejudicial Interest.

Other than that it is recommended for transparency in local government and for the benefit of good local administration that councils should adopt a standard formal procedure for considering complaints: either made by complainants directly or referred back to the council from other bodies to whom they have been made.

The Code of Practice set out below is based on a recommended model, as a way of ensuring that complainants can feel satisfied that at the very least their complaint has been properly and fully considered.

Councils have been urged to do their utmost to settle complaints and satisfy complainants in the interest of the good reputation of the council.

The Council should try and resolve any complaint at local level.

The Town Clerk will make available the complaint (which must be given in writing) to the First available Council or Committee Meeting and inform any members affected.

The Full Council will then consider the complaint and if of a minor nature may deal with the matter itself. In more serious cases the Council may request the Mayor to appoint a panel of 3 Councillors to report back to the Council with recommendations.

Welshpool Town Council will only take a complaint to ombudsman once an attempt to settle the matter locally has been completed.

This is to be considered as a re-examination before reference to the Ombudsman or Standards Board.

Welshpool Town Council will bear in mind the provisions of the Data Protection Act 1998 as well as the Freedom of Information Act 2000 in dealing with complaints

# Welshpool Town Council

# STANDING ORDERS

## Procedure

1. If a complaint about procedures or administration or conduct is notified orally to a Councillor or the Town Clerk of the Council and it is not possible to satisfy the complainant in full immediately, the complainant shall be asked to put his/her complaint in writing to the Town Clerk and receive an assurance on receipt that the matter will be dealt with promptly.
2. If a complainant indicates that he/she would prefer not to put the complaint to the Town Clerk of the Council then he/she should be advised to put it to the Chairman of Council.
3. On receipt of a written complaint, the Town Clerk of the Council or the Chairman, as the case may be, shall be referred to Council at the first opportunity.
4. Where the Town Clerk to the Council or Chairman receives a written complaint about his own actions, he/she shall immediately refer the complaint to the council.
5. Upon receipt of the complaint at Council the council shall consider whether the circumstances attending any complaint warrant the matter being discussed in the absence of the press and the public.
6. The matter before the council in this case will be to establish whether there is a factual basis to the complaint and the action that should then be taken. This procedure will take place with regard to minor matters at Council and more serious matters via a Panel appointed by the Mayor to report back to Council with recommendations.
7. As soon as may be after the decision has been made it and the nature of any action to be taken shall be communicated in writing to the complainant by the Town Clerk.
8. If the Councillors complained against do not accept the decision of the Council then the Council shall go to the Ombudsman.
9. At all stages of a complaint about the Council or its Members the Town Clerk shall seek advice from the Monitoring Officer of the County Council.

# Welshpool Town Council

# STANDING ORDERS

10. All complaints should be dealt with in private session except where the law does not permit it.

In the event of serial facetious, vexatious or malicious complaints from a member of the public the council shall consider taking legal advice before writing any letters to the complainant.

R A Robinson FRICS FSLCC  
Town Clerk  
March 2018

# Welshpool Town Council

# STANDING ORDERS

## 46.2 Procurement Policy

### Introduction

This paper sets out the general guidance for the expending of finance with regard to contractors.

### Works of general maintenance

General works of maintenance to the councils buildings shall be carried out with guidance from the budget approved for the year and shall be specified contractors on an agreed list as approved by the council.

### Annual contracts of maintenance

The annual contracts for maintenance shall be reviewed every 3 years and such contractors shall be as per the approved list by the council.

### Capital works up to a value of £5,000

For works up to a value of £5,000 the council is under no obligation to tender or seek estimates for such works unless it is prudent to do so.

### Capital works for a value from £5,000 to £50,000

Any works to be carried out between these values are to be the subject of at least 3 estimates. The council is to approve the appointed contractor.

### Capital works for a value from £50,000 upwards

Any works to be carried out above the sum of £50,000 are to be the subject of at least 4 tenders and are to be sought by a professional. The council to receive a report on the tenders and shall appoint the contractor of their choice.

### Professionals

Initial drawings and proposals will be drawn up by the town clerk. When the outline scheme has been approved a professional is to be employed to manage the project from that point.

### Tenders and estimates

All tenders and estimates shall be opened by the town clerk with at least 2 councillors present.

**Welshpool Town Council**  
**STANDING ORDERS**

**K. SIGNATURES**

**Cllr S Kaye Mayor**

**Cllr H Evans Deputy Mayor**

**Robert A Robinson Town Clerk**

**March 2018**