



LLANELLI TOWN COUNCIL

STANDING ORDERS

FOR REGULATING THE BUSINESS OF THE COUNCIL

**ORIGINAL VERSION - APPROVED AT THE TOWN COUNCIL
MEETING HELD ON 2ND SEPTEMBER 2009 – MINUTE NO.65
REFERS**

**DELEGATIONS APPROVED 12TH MAY 2011 – MINUTE 10 REFERS
S.O. 21.5 AMENDED 7TH DECEMBER 2011 – MINUTE 98 REFERS
S.O. 23.4 REVOKED S.O. 43.1 & 48 AMENDED 3RD APRIL 2013
MINUTE 119 REFERS**

**S.O. 34.1 AMENDED 3RD JUNE 2015 – MINUTE 20 REFERS
S.O. 1.3 AMENDED 3RD FEBRUARY 2016 – MINUTE 61 REFERS**

**NEW VERSION - REVIEWED 6TH MARCH 2019 – MINUTE NO 103
REFERS
ADOPTED 3RD APRIL 2019 – MINUTE 112 REFERS**

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1. RULES OF DEBATE AT MEETINGS

- a Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairman of the meeting.
- b A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- c The Member seconding the motion or amendment may, if then declared, reserve any speech until a later part of the debate.
- d During discussion and debate Members shall address the Town Mayor. Whenever the Town Mayor speaks all other Members shall be seated and remain silent. In addressing the Town Mayor and referring to other Members, their respective official titles shall be employed.
- e A motion on the agenda that is not moved by its proposer may be treated by the Town Mayor as withdrawn.
- f If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- g An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- h If an amendment to the original motion is carried, the original motion (as amended) becomes the substantive motion upon which further amendment(s) may be moved.
- i An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the Town Mayor, is expressed in writing to the Town Mayor.
- j A councillor may move an amendment to his own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- k If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the Town Mayor.
- l Subject to standing order 1(k), Only one amendment may be moved and discussed at a time and a further amendment shall not be moved until the Council has dealt with every amendment previously moved. Provided that the Town Mayor may permit two or more amendments to be discussed (but not voted on) together if circumstances suggest that this would facilitate the proper conduct of the Council's business.
- m A councillor may not move more than one amendment to an original or substantive motion.

- n The mover of a motion shall have a right of reply at the close of the debate and immediately before it is put to the vote
- o Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate on the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
- p Unless permitted by the Town Mayor, a councillor may speak once in the debate on a motion except:
 - i. to speak on an amendment moved by another councillor;
 - ii. to move or speak on another amendment if the motion has been amended since he last spoke;
 - iii. to make a point of order;
 - iv. to give a personal explanation; or
 - v. to exercise a right of reply.
- q During the debate on 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 other irregularity in the proceedings of the meeting he is concerned by.
- r A point of order or on the admissibility of a personal explanation shall be decided by the Town Mayor and his decision shall be final.
- s When a motion is under debate, no other motion shall be moved except:
 - i. to amend the motion;
 - ii. to postpone consideration of the motion;
 - iii. to proceed to the next business;
 - iv. to adjourn the debate;
 - v. to put the motion to a vote;
 - vi. to ask a person to be no longer heard or to leave the meeting;
 - vii. to refer a motion to a committee or sub-committee for consideration;
 - viii. to exclude the public and press;
 - ix. to adjourn the meeting; or
 - x. to suspend particular standing order(s) excepting those which reflect mandatory statutory or legal requirements.
- t Before an original or substantive motion is put to the vote, the Town Mayor

shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived his right of reply.

- u A Member shall direct any speech to the question under discussion, or to a personal explanation, or to a point of order. Except with the consent of the Council no speech shall exceed five minutes.

2. DISORDERLY CONDUCT AT MEETINGS

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

3. MEETINGS GENERALLY

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

- a **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost. Generally, however, meetings of the Council and its Committees or Sub-Committees shall be held at The Old Vicarage, Town Hall Square, Llanelli, SA15 3DD.**
- b **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
- c **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice**
- d **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which**

shall give reasons for the public's exclusion.

- e Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- f Every Member of the Council attending a meeting of the Council, or of any of its committees of which he/she is a member, shall sign his/her name in the attendance book or sheet provided for that purpose, which shall be kept for record purposes by the Town Clerk.
- g In accordance with standing order 3(e), a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.
- h 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 of the meeting may at any time permit a person to be seated when speaking.
- i A person who speaks at a meeting shall direct his comments to the chairman of the meeting.
- j Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.
- k **Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's prior consent.**
- l **The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**
- m **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Town Mayor may in his absence be done by, to or before the Deputy Town Mayor.**
- n **The Town Mayor, if present, shall preside at a meeting of the Full Council. If the Town Mayor is absent from a meeting of the Full Council, the Deputy Town Mayor (if there is one), if present, shall preside. If both the Town Mayor and Deputy Town Mayor are absent from a meeting of the Full Council, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.** Where a person is chosen to preside in the absence of the Town Mayor and Deputy Town Mayor and either post holder subsequently arrives at the meeting, the person presiding shall complete the item of business under discussion before relinquishing the chair.
- o The powers or duties of the Town Mayor/Deputy Town Mayor in relation to

the conduct of a Council meeting may be exercised by the person presiding in the absence of either post holder.

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- p **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.**
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- q **The chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote.**
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See standing orders 11(h) and (i) for the different rules that apply in the election of the Town Mayor at the annual meeting of the Council.

- r **Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his vote for or against that question.** Such a request shall be made **before** the vote is taken. The recorded vote shall be obtained by the Town Clerk calling out each Member's name and each Member indicating verbally whether for or against the question or whether abstaining from voting.

s Where, immediately after a non-recorded vote is taken and any Member so requires, the Minutes of the proceedings shall indicate the voting manner or abstention of that Member from voting.

t Where the Council Summons includes items of business, whether in the form of notices of motion, reports or Minutes of Committees, or in any other form and the Town Mayor is of the opinion that these items are related, they may be dealt with in accordance with such procedure as the Town Mayor may decide is most conducive to the dispatch of business, notwithstanding any other provision within these Standing Orders.

u In the event of general disturbance which, in the opinion of the Town Mayor renders the due and orderly dispatch of business impossible, the Town Mayor in addition to any other power vested in him/her may, without question put, adjourn the meeting of the Council for such period as he in his discretion shall consider expedient.

v The minutes of a meeting shall include an accurate record of the following:

- i. the time and place of the meeting;
- ii. the names of councillors who are present and the names of councillors who are absent;
- iii. interests that have been declared by councillors and non-councillors with voting rights;

- iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;
 - v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
 - vi. if there was a public participation session; and
 - vii. the resolutions made.
- w **A councillor or a non-councillor with voting rights who has a personal or prejudicial interest in a matter being considered at a meeting which limits or restricts his right to participate in a discussion or vote on that matter is subject to obligations in the code of conduct adopted by the Council.**
 - x **No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.** For the purpose of determining a quorum in respect of an item of business, Members debarred by reason of a declared interest shall be excluded from the whole number of Members present, provided that a quorum shall be at least three members.
- y If, after fifteen minutes from the time at which a Council meeting is due to commence and if, during a meeting of the Council and after counting the number of members present, the Town Mayor declares that a quorum of Members is not present, the meeting shall stand adjourned. The Town Mayor shall be required so to do on the requisition of any Member.
- See standing order 5 for the quorum of a committee or sub-committee meeting.*
- z **If a meeting is or becomes inquorate no business shall be transacted** and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting as the Town Mayor may determine.
 - aa The business to be transacted at a meeting of the Council shall be limited to that specified in the Council Summons. The Town Clerk shall be responsible for determining the business to be brought before the Council in addition to any other business of which notice, in writing, has been given by way of Notice of Motion in accordance with Standing Order 15.
 - bb By reason of special circumstances, which shall be specified in the minutes, if the Town Mayor is of the opinion that an item should be considered at a meeting as a matter of urgency which has arisen too late to be specified in the summons, that item of business may be transacted provided notice has been given to the Town Clerk before the commencement of the meeting and no legal or financial implications arise from the consideration of the item.

4. COMMITTEES AND SUB-COMMITTEES

- a **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**
- b **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.** No person shall be appointed as Chairman and Vice-Chairman of any Committee unless the person is a Member of the Council
- c **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**
- d A Council Member, who has proposed a motion under Standing Order 15 and which has been referred to a Committee, shall be entitled to attend the meeting of the Committee to which the motion has been referred and to speak to the motion.
- e The Town Mayor and Deputy Town Mayor shall be ex-officio members of all Committees without voting rights.
- f Every Member of the Council who is not a member of a Committee shall be entitled to receive a copy of the notice of a meeting and all related papers. This entitlement shall not apply to meetings of Sub-Committees, Working Groups or Panels.
- g The Town Clerk shall report any vacancy in the membership of a Committee to the Council whereupon the Council shall take steps to fill the vacancy. Any vacancy in the membership of a Sub-Committee, Working Group or Panel shall be filled by the parent Committee.
- h The Council shall, at the Annual Meeting, appoint standing committees or other committees as may be necessary, and:
 - i. shall determine their terms of reference;
 - ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of the Council;
 - iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings;
 - iv. shall, subject to standing orders 4(b) and (c), appoint and determine the terms of office of members of such a committee; however not appoint any member of a Committee or Sub-Committee so as to hold office later than the next Annual Meeting of the Council;
 - v. The two Standing Committees of the Council namely the Building and

Finance Committee and the Planning and Development Committee shall consist of the total number of Members agreed at the Adjourned Annual Meeting of the Town Council:

- vi. shall, after it has appointed the members of a standing committee, appoint the chairman of the standing committee (this requirement shall be observed in the appointment of a Chairman and Vice-Chairman at any time other than the Annual Meeting); no member of a Committee or Sub-Committee shall hold the office of Chairman of that Committee or Sub-Committee in successive years and no member of the Council shall hold the office of Chairman of more than one Standing Committee appointed by the Council in any one year.
 - vii. shall determine if the public may participate at a meeting of a committee;
 - viii. shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
 - ix. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
 - x. may dissolve a committee or a sub-committee.
- i. No person shall be appointed as Chairman or Vice-Chairman of any Sub-Committee unless the person is a Member of the Committee making the appointment.
 - j. The filling of a casual vacancy for Chairman or Vice-Chairman of any Committee or Sub-Committee arising during the year shall be filled by the Committee or Sub-Committee and is subject to ratification at the next ordinary meeting of the Council.
 - k. The filling of a casual vacancy for Chairman or Vice-Chairman of a Sub-Committee shall be filled by that Sub-Committee and is subject to ratification by the parent Committee at its next meeting.
 - l. In the absence of both the Chairman and Vice-Chairman from a meeting, the Committee or Sub-Committee (as the case may be) shall appoint a Chairman for that meeting.
 - m. Any power or duty of the Chairman in relation to the conduct of a meeting may be exercised by the Vice-Chairman or other person presiding at that meeting.

5. QUORUM OF COMMITTEES, SUB-COMMITTEES AND OTHER BODIES

- a. Except where authorised by statute or ordered by the Council, business shall not be transacted at a meeting of any Committee unless at least one half of the whole number of the Committee is present, provided that in no case (except the Ex-Town Mayors' Committee) shall the quorum of a Committee be less than five members.

- b Except as aforesaid or otherwise ordered by the parent Committee, business shall not be transacted at a Sub-Committee, Working Group or Panel unless at least one-half of the whole number of the Sub-Committee is present, provided that in no case shall the quorum of a Sub-Committee, Working Group or Panel be less than two members.

6. VOTING IN COMMITTEES, SUB-COMMITTEES AND OTHER BODIES

- a All matters in Council Committees, Sub-Committees, Working Groups or Panels shall be determined by a majority show of hands of the members present, provided that the voting on an appointment of a person to the Council's staff may be carried out by ballot.
- b In the case of an equality of voting, the Chairman or other person presiding shall have a second or casting vote.
- c On the requisition of any Member made **before** the vote is taken, the voting on any question shall be recorded so as to show whether each Member present voted for or against the question or abstained from voting. The recorded vote shall be obtained by the Town Clerk calling out each Member's name and each Member indicating verbally whether for or against the question or whether abstaining from voting.
- d Where, immediately after a non-recorded vote is taken and any Member so requires, the minutes of the proceedings shall indicate the voting manner or abstention of that Member from voting.

7. ATTENDANCE OF MEMBERS AT COMMITTEE PROCEEDINGS

- a A Member of the Council shall be entitled to attend all Committee meetings of the Council.
- b A Member may take part in the proceedings of a Committee to which the Member has not been appointed only with the consent of the Chairman of that Committee. However, the Member shall not be entitled to vote on the proceedings of that Committee.
- c The right of attendance at meetings permitted under this Standing Order shall not apply to Sub-Committees, Working Groups or Panels. However, where there is a need to know information being considered by a Sub-Committee or other body to enable a Member to properly fulfil his/her role or duties as a Town Councillor, that Member may be permitted to attend a meeting with the agreement of the Chairman of the Sub-Committee or other body.
- d Standing Order No. 20 shall apply to a Member attending a meeting of a Committee or other body of which he/she is not an appointed Member.

8. SPECIAL MEETINGS OF COMMITTEES OR SUB-COMMITTEES

- a The Chairman or Vice-Chairman of a Committee or Sub-Committee or the Town Mayor may call a special meeting of that Committee or Sub-Committee at any time. A special meeting may also be called on the requisition of one half of the whole number of the Committee or Sub-Committee delivered in writing to the Town Clerk but in no case shall be less than five members in the case of a Committee or not less than two members in the case of a Sub-Committee.
- b The summons to the special meeting shall set out the business to be considered and no business other than that set out in the summons shall be transacted.

9. APPOINTMENT OF SUBSTITUTES

- a Where a member of any of the Council's Committees (except the Ex-Town Mayors' Committee), Sub-Committees, Joint Committees, Working Groups or Panels will be absent for the whole of the meeting he/she shall be permitted to nominate a substitute to attend in his/her stead who is not already a member of that particular Committee, etc. Members of the Ex-Town Mayors' Committee shall not be permitted to nominate a substitute to attend that committee in his/her stead.
- b Substitute members may attend meetings in that capacity only:
 - i. to take the place of the member for whom they are substituting;
 - ii. after notifying the Town Clerk or his representative before the commencement of the meeting of the intended substitution.
- c Substitute members will have all the powers and duties of any member of the Committee, Sub-Committee, Joint Committee, Working Group or Panel in question

10. SMOKING AND CONSUMPTION OF ALCOHOL

Smoking and/or the consumption of alcohol shall not be permitted during the proceedings of any meeting of the Council, Committee, Sub-Committee, Working Group or Panel.

11. ORDINARY COUNCIL MEETINGS

- a **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.**
- b **In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.**
- c **If no other time is fixed, the annual meeting of the Council shall take place at 6.00pm.**
- d In addition to the Annual Meeting and any extraordinary meetings of the Council which may be called by the Town Mayor or Council Members, ordinary meetings of the Council shall be held on the first Wednesday in each month or on such other dates as the Council may determine for the transaction of

business. But no ordinary meeting of the Council shall be held during a summer recess to include the month of August or the Christmas recess.

- e **The first business conducted at the annual meeting of the Council shall be the election of the Town Mayor and Deputy Town Mayor.**
- f **The Town Mayor, 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 Deputy Town Mayor if there is one, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Town Mayor at the next annual meeting of the Council.**
- h **In an election year, if the current Town Mayor has not been re-elected as a member of the Council, he shall preside at the annual meeting until a successor Town Mayor has been elected. The current Town Mayor shall not have an original vote in respect of the election of the new Town Mayor but shall give a casting vote in the case of an equality of votes.**
- i **In an election year, if the current Town Mayor has been re-elected as a member of the Council, he shall preside at the annual meeting until a new Town Mayor has been elected. He may exercise an original vote in respect of the election of the new Town Mayor and shall give a casting vote in the case of an equality of votes.**
- j Following the election of the Town Mayor and Deputy Town Mayor of the Council at the annual meeting, the business shall include:
 - i. **In an election year, delivery by the Town Mayor and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Town Mayor of his acceptance of office form unless the Council resolves for this to be done at a later date;**
 - ii. To receive the Town Clerk's report as to the councillors elected to office;
 - iii. In the ordinary year of election of town councillors 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. Receipt of the minutes of the last meeting of a committee;
 - vi. Consideration of the recommendations made by a committee;
 - vii. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
 - viii. Review of the terms of reference for committees;

- ix. Appointment of members to existing committees;
 - x. Appointment of any new committees in accordance with standing order 4;
 - xi. Review and adoption of appropriate standing orders and financial regulations;
 - xii. Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses;
 - xiii. Review of representation on or work with external bodies and arrangements for reporting back;
 - xiv. Review of inventory of land and other assets including buildings and office equipment;
 - xv. Confirmation of arrangements for insurance cover in respect of all insurable risks;
 - xvi. Review of the Council's and/or staff subscriptions to other bodies;
 - xvii. Review of the Council's complaints procedure;
 - xviii. Review of the Council's policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation (*see also standing orders 18, 36 and 37*);
 - xix. Review of the Council's policy for dealing with the press/media;
 - xx. Review of the Council's employment policies and procedures;
 - xxi. Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the power of well-being.
 - xxii. Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.
- k At every meeting of the Council other than the Annual Meeting, the first business shall be:
- i. To note the Council Members present and to receive any apologies for absence;
 - ii. To appoint a person to chair the meeting if the Town Mayor and Deputy Town Mayor are absent;
 - iii. To receive declarations of interest;
 - iv. To receive any declarations of acceptance of office 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.
- l After the business specified in paragraphs j or k of this Standing Order has been completed, the order of business shall be as follows unless the Council decides otherwise in accordance with paragraph m:

- i. To approve as a correct record the Minutes of the last meeting of the Council and the Minutes of any extraordinary meetings since the last meeting following which the Minutes shall be signed by the Town Mayor or other Council Member chairing the meeting;
 - ii. To receive and consider reports or minutes of Committees.
 - iii. To deal with any business expressly required by statute to be done;
 - iv. To receive presentations and/or deputations authorised to attend;
 - v. To receive any announcements from the Town Mayor;
 - vi. To answer questions received in accordance with Standing Order No. 17;
 - vii. To dispose of business, if any, remaining from the last meeting;
 - viii. To consider notices of motion received in accordance with Standing Order No. 16 and in the order in which they have been received;
 - ix. To receive and consider reports from officers of the Council;
 - x. To authorise the sealing of documents where authority has not been given in accordance with Standing Order No. 41;
 - xi. To deal with any other business specified in the Council Summons.
- m A motion to vary the order of business shall not displace business falling under paragraphs k and l. But subject to this, such a motion may be proposed:
- i. by the Town Mayor at his discretion; or
 - ii. by a resolution moved by the Town Mayor/Chairman, or by any Member; and if proposed by the Town Mayor/Chairman, it shall be put to the vote without being seconded and without discussion.

12. EXTRAORDINARY MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES

- a **The Town Mayor may convene an extraordinary meeting of the Council at any time.**
- b If the Town Mayor refuses to call an extraordinary meeting of the Council after a requisition for that purpose, signed by two Members of the Council, has been presented to him/her, or if, without so refusing, the Town Mayor does not call an extraordinary meeting within seven days after such a requisition has been presented to him/her, any two Members of the Council, on that refusal or on the expiration of those seven days (as the case may be), may request the Town Clerk to convene an extraordinary meeting of the Council.
- c Notwithstanding the provision in the previous paragraph no extraordinary meeting of the Council other than one called by the Town Mayor, shall be held

on a Saturday, Sunday or Public Holiday.

- d No business shall be considered at any extraordinary meeting, save such as shall be specified in the notice convening the meeting.

13. PREVIOUS RESOLUTIONS

- a A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least 5 councillors to be given to the Proper Officer in accordance with standing order 15, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
- b When a motion moved pursuant to standing order 15(a) has been disposed of, no similar motion may be moved for a further six months.

14. VOTING ON APPOINTMENTS

- a Where more than two 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. A tie in votes may be settled by the casting vote exercisable by the chairman of the meeting.

15. MOTIONS FOR A MEETING THAT REQUIRE WRITTEN NOTICE TO BE GIVEN TO THE PROPER OFFICER

- a Except as provided by Standing Order No. 16, every notice of motion shall be in writing and signed by the Members intending to propose and second the motion. Notices of motion shall be delivered to the Town Clerk at least seven clear days before the Council meeting at which the motion is to be considered. The Town Clerk shall date and number every notice of motion in the order of receipt and shall enter it in a book or similar record which shall be open to the inspection of every Member of the Council.
- b The Town Clerk shall insert in the Council Summons all notices of motion duly given in the order in which they have been received unless the Members giving the notice have indicated in writing:
 - i. that they propose to move and second the motion at a later Council meeting;
 - ii. that they have withdrawn the motion.
- c If a motion set out in the Council Summons is not moved by the Proposer and Seconded or by other Members on their behalf, it shall, unless postponed by consent of the Council, be treated as withdrawn and shall not be moved again without fresh notice.

- d If the subject matter of any motion comes within the terms of reference of a Committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to that Committee or such other Committee as the Council may determine for consideration and report. However, the Town Mayor may, if considered convenient and conducive to the despatch of business, allow the motion to be dealt with at the meeting at which it was moved.
- e Every motion shall be relevant to some question or matter in respect of which the Council has power or duties or which affects the Council's administrative area.
- f If, in the opinion of the Town Clerk, a motion of which notice has been given is out of order, illegal, irregular, vexatious, scurrilous or otherwise improper, such notice shall be referred to the Town Mayor with reasons for the opinion and shall not be set out in the Council Summons unless the Town Mayor issues a direction to the contrary. The Members signing the notice of motion shall be informed of the reasons if a notice of motion is rejected.

16. MOTIONS AT A MEETING THAT DO NOT REQUIRE WRITTEN NOTICE

- a The following motions may be moved at a meeting without written notice to the Proper Officer:
 - i. to correct an inaccuracy in the draft minutes of a meeting;
 - ii. to approve the minutes
 - iii. to move to a vote;
 - iv. to defer consideration of a motion;
 - v. to amend a motion
 - vi. to give leave to withdraw a motion or amendment;
 - vii. to refer a motion to a particular committee or sub-committee;
 - viii. To approve or adopt reports and recommendations of Committees or officers and any consequent resolutions;
 - ix. to appoint a person to preside at a meeting;
 - x. to change the order of business on the agenda;
 - xi. to proceed to the next business on the agenda;
 - xii. to require a written report;
 - xiii. to appoint a committee or sub-committee and their members;
 - xiv. to extend the time limits for speaking;
 - xv. to exclude the press and public from a meeting in respect of confidential

- or other information which is prejudicial to the public interest;
- xvi. to not hear further from a councillor or a member of the public;
- xvii. to exclude a councillor or member of the public for disorderly conduct;
- xviii. to temporarily suspend the meeting;
- xix. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);
- xx. to adjourn the meeting; or
- xxi. to authorise the sealing of documents;
- xxii. to close the meeting.

17. QUESTIONS

- a Upon giving seven clear days notice in writing to the Town Clerk prior to a Council meeting, a Member may put to the Town Mayor or Chair of any Committee any question concerning the business of the Council or its Committees, including any matter falling within a Committee's terms of reference.
- b If the Town Mayor is of the opinion that, by special urgent circumstances which shall be specified in the minutes, a question can be put without giving the requisite seven clear days notice in writing, the question shall be delivered to the Town Clerk in writing by 12 noon on the day before the day of the Council meeting.
- c Every question shall be put and answered and one supplementary question may be put and answered, both without discussion. The person to whom the question(s) has been put may decline to answer.
- d An answer may take the form of:
 - i. a direct oral answer;
 - ii. where the requisite information is contained within any report or publication of the Council, it shall be deemed a sufficient response for that source of information to be indicated;
 - iii. where the reply to a question cannot conveniently be given orally, it shall be deemed a sufficient response for a written answer to be circulated to all Members of the Council within seven days of the meeting.
- e For the purpose of this Standing Order the reference to the Town Mayor or Chair of a Committee shall include the person acting on their behalf in their absence from the meeting at which a question is put.
- f The Town Mayor shall be empowered to decide whether a question should be asked or answered if the public interest would not be served by it being raised or pursued, or on any other ground which the Town Mayor may deem sufficient.

- g The Town Clerk shall keep a record of all questions asked and answered which shall be recorded also in the minutes of the meeting.
- h The purport of this Standing Order shall not prevent a Member from asking the Chairman of a Committee any question on the proceedings of the Committee then before the Council, including matters dealt with under delegated powers, provided the question is put before the Minutes of those proceedings have been formally accepted or approved and adopted. However, a Member shall not ask any question which relates to a Council employee or an employee's duties, manner of carrying out those duties, salary or terms and conditions of employment without first having addressed such question in writing to the Chair of the employing Committee at least two clear days before the Council meeting.

18. MANAGEMENT OF INFORMATION

See also standing order 36.

- a **The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.**
- b **The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).**
- c **The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.**
- d **Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.**

19. DRAFT MINUTES

- a If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b The Town Mayor shall move ***that the minutes of the last ordinary meeting of the Town Council held on the ... day of ... be approved as a correct record*** (Similarly the minutes of the Annual Meeting and any extraordinary meetings since the last ordinary meeting shall be so moved).

- c There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with standing order 16(a)(i).
- d The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- e If the chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:

 “The chairman of this meeting does not believe that the minutes of the meeting of the () held on [date] in respect of () were a correct record but his view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”
- f Subject to standing order 35(a) and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

20. **CODE OF CONDUCT AND DISPENSATIONS**

See also standing order 3(v).

- a **Councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.**
- b Members are required to observe the Council’s Code of Conduct in relation to the Disclosure and Registration of Interests.
- c If a Member has a personal interest, as defined by the Code of Conduct, in any item that appears in the Council Summons or on a Committee agenda, the existence and nature of that interest shall be declared at the beginning of the meeting or as soon as the interest becomes apparent.
- d If a Member who has declared a personal interest also considers the interest to be prejudicial, he/she must withdraw from the room or chamber during consideration of the item to which the interest relates unless granted a dispensation by the Standards Committee of Carmarthenshire County Council.
- e **Dispensation requests shall be in writing and submitted to the standards committee of the Carmarthenshire County Council** as soon as possible before the meeting that the dispensation is required for.

21.

CODE OF CONDUCT COMPLAINTS

- a If a Member reasonably believes another Member is in breach of the Council's Code of Conduct, that Member is under a duty to report the breach to the Monitoring Officer of Carmarthenshire County Council.
- b Upon notification by the Carmarthenshire County Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Town Clerk shall, subject to standing order 18, report this to the Council.
- c Where the notification in standing order 21(a) relates to a complaint made by the Town Clerk, the Town Clerk shall notify the Council Leader of this fact, and the Council Leader shall nominate another staff member to assume the duties of the Town Clerk in relation to the complaint until it has been determined.
- d The Council may:
 - i. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
 - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
 - iii. indemnify the councillor or non-councillor with voting rights in respect of his related legal costs and any such indemnity is subject to approval by a meeting of the Council.

22. INTEREST OF OFFICERS IN CONTRACTS

- a For the purposes of Section 117 of the Local Government Act 1972, the Town Clerk shall keep a record of all notices received of a pecuniary interest in a contract by an Officer of the Council, whether direct or indirect and where such an interest comes to the knowledge of the officer employed. The record of notices shall be open to inspection by a Member of the Council during normal office hours.

23. CANVASSING OF AND RECOMMENDATIONS BY MEMBERS

- a Canvassing of Members of the Council or any Committee of the Council, directly or indirectly, for any appointment under the Council, shall disqualify the candidate concerned for that appointment. The Town Clerk shall be responsible for ensuring that all applicants for posts under the Council are made aware of this condition in any job advertisement or application form.
- b A Member of the Council shall not solicit for any person any appointment under the Council or recommend any such person for appointment or promotion. However, a Member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.

24. DISCLOSURE OF RELATIONSHIPS

- a A candidate for any appointment under the Council who knows that he/she is related to any Member or employee of the Council shall, when making application, disclose the relationship, in writing, to the Town Clerk. Similarly, the person to whom the candidate is related shall make a similar disclosure where knowledge of a person's candidature is known. A candidate who fails to disclose such a relationship shall be disqualified from consideration for the appointment and if appointed, may be dismissed without notice. The Town Clerk shall report to the Council or appropriate Committee any such disclosure.
- b The Town Clerk shall be responsible for ensuring that all applicants for posts under the Council are made aware of the condition specified in paragraph 25.a in any job advertisement or application form.
- c This Standing Order shall apply to the tendering process as if the person submitting a tender was a candidate for appointment under the Council.

25. NOMINATION OF TOWN MAYOR ELECT

- a The Council shall, no later than at the penultimate ordinary meeting of the Council before the Annual Meeting, select the Councillor to be nominated for election as Town Mayor at the Annual Meeting.
- b The Town Mayor-Elect shall be responsible for selecting as Deputy Town Mayor one of his fellow Members at the time.

26. LEADER OF THE COUNCIL

- a The Leader and Deputy Leader of the majority group (political or otherwise) shall be designated as Leader and Deputy Leader of the Council.
- b The Leader of the Council shall be the first line of reference for the Town Clerk in all matters of agreed Council policy and direction. In the absence of the Leader, the Deputy Leader of the Council shall become the first line of reference.

27. PROPER OFFICER

- a Where a statute, regulation or order confers functions or duties on the Proper Officer of the Council, that officer shall be the Town Clerk:
- b The Proper Officer shall:
 - i. **at least three clear days before a meeting of the council, a committee or a sub-committee:**
 - **serve on councillors by delivery or post at their residences a signed summons confirming the time, place and the agenda; and**
 - **provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them) and publish electronically notice of the time and place and, as far as reasonably practicable, any documents relating to the business to be transacted at the meeting unless they relate to business which is likely to be considered in private or if their disclosure would be contrary to any enactment.**

See standing order 3(b) for the meaning of clear days for a meeting of a full council and standing order 3(c) for the meaning of clear days for a meeting of a committee;
 - ii. subject to standing order 15, include on the agenda all motions in the order received unless a councillor has given written notice at least 7 days before the meeting confirming his withdrawal of it;
 - iii. **convene a meeting of Council for the election of a new Town Mayor, occasioned by a casual vacancy in his office;**
 - iv. **facilitate inspection of the minute book by local government electors;**
 - v. certify copies of Byelaws made by the Council;
 - vi. **receive and retain copies of byelaws made by other local authorities;**
 - vii. hold acceptance of office forms from councillors;
 - viii. receive declarations of members interests

- ix. hold a copy of every councillor's register of interests;
- x. receive and retain plans and documents
- xi. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
- xii. liaise, as appropriate, with the Council's Data Protection Officer;
- xiii. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- xiv. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of freedom of information and data protection legislation and other legitimate requirements (e.g. the Limitation Act 1980);
- xv. arrange for legal deeds to be executed;
See also standing order 41;
- xvi. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
- xvii. record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
- xviii. refer a planning application received by the Council to the [Chairman or in his absence the Vice-Chairman (if there is one) of the Council] within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Council.
- xix. manage access to information about the Council via the publication scheme; and
- xx. retain custody of the seal of the Council which shall not be used without a resolution to that effect.
See also standing order 41

28. DELEGATED POWERS

- a Without prejudice to the Town Clerk's general managerial responsibilities, no group of Members, individual Member or Officer shall have delegated power to take decisions on behalf of the Council otherwise than in accordance with the provisions of this Standing Order.
- b The Council may at any time delegate its authority to deal with a particular matter under consideration to a Committee, Sub-Committee, Working Group

or Panel or to an ad hoc group of at least two Members, or to the Town Clerk (see Appendix 1)

- c In the event of any matter arising which requires urgent attention or decision, the Town Clerk shall consult with the Leader of the Council (or in his/her absence Deputy Leader of the Council), the Chairman and Vice-Chairman of the appropriate Committee, Sub-Committee, Working Group or Panel who shall have delegated power to act on behalf of the Council in respect of the particular matter then under their consideration. In the absence of either or both of the relevant Chairman and Vice-Chairman, the Town Mayor and/or the Deputy Town Mayor for the time being shall be consulted as appropriate and shall be deemed to have delegated power as if they were either the Chairman or Vice-Chairman, as the case may be.
- d Before exercising the delegated powers permitted under Standing Order 28.c, the Members consulted shall consider whether the matter is of sufficient importance to justify the summoning of the appropriate Committee in accordance with Standing Order 8 and where such a meeting is convened the Committee concerned shall have delegated power to act on behalf of the Council in respect of the particular matter then under consideration.
- e Before exercising the delegated powers granted by Standing Order 28.d the Committee concerned shall consider whether the matter is of sufficient importance to justify a recommendation to the Town Mayor that an extraordinary meeting of the Council should be convened in accordance with Standing Order 12.a.
- f In exceptional circumstances of urgency or emergency which will not admit to delay and the Town Clerk is unable to consult with relevant Members in accordance with this Standing Order, the Town Clerk shall be authorised to act for the Council.
- g Where action is taken under this Standing Order, full details of the circumstances justifying the urgency and of the action taken shall be reported to the next ordinary meeting of the relevant Committee or Council, as the case may be.

29. SIGNATURE, CUSTODY AND INSPECTION OF DOCUMENTS

- a All formal documents shall be signed by the Town Clerk on behalf of the Council unless any enactment requires otherwise or the Council shall have given the necessary authority to some other person.
- b The Minutes of the proceedings of meetings of the Council and its Committees, the deeds, agreements and contracts belonging to the Council, and all other documents required by statute to be lodged with the Council, shall be kept in the charge of the Town Clerk who shall be responsible also for the safe custody of all books, documents and records which relate to the work of the Council.
- c A Member of the Council may, for the purpose of his duty as a member, but not otherwise, inspect any document in the possession or control of the Council and if copies are available, shall, on request, be supplied for like purpose with a copy.

- d A Member shall not knowingly inspect and shall not call for a copy of any document relating to a matter in which he is professionally interested or in which he has, directly or indirectly, a personal interest under the Council's Code of Conduct.
- e In order to comply with the law on Freedom of Information and Data Protection, access to personal information shall be limited to information which is necessary for a decision to be made on a specific matter and limited to Members who are responsible for making that decision. Such information shall not be disclosed by a Member to any other person, and copies of documents shall be returned to the Town Clerk within a specified period.
- f All Minutes of the Council shall be open for the inspection of any Member of the Council or the public during normal office hours.
- g Members of the Council shall respect the marking of documents as *private* and/or *confidential* and the contents of such documents shall not be imparted to anyone without the consent of the Council or appropriate Committee.
- h Any Member in breach of the provisions of paragraph 31(g) shall be removed by the Council from any Committee or Sub-Committee of the Council.

30. INSPECTION OF AND VISITS TO LANDS, PREMISES, COUNCIL OFFICES ETC.

- a Unless specifically authorised to do so by the Council or a Committee, a Member of the Council shall not issue any order, instruction or direction respecting any works which are being carried out by or on behalf of the Council or claim, by virtue of being a Member of the Council, any right to inspect or to enter upon any land or premises which the Council has the power or duty to inspect or enter.
- b A Member may visit the Council offices at any time, without notice, but shall not discuss with any officer of the Council, other than the Town Clerk or nominated deputy, any matter of policy or principle, or any matter which is under consideration by the Council, or is likely to be brought before the Council or a Committee/Sub-Committee/Working Group or Panel.

31. RESPONSIBLE FINANCIAL OFFICER

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

32. ACCOUNTS AND ACCOUNTING STATEMENTS

- a “Proper practices” in standing orders refer to the most recent version of “Governance and Accountability for Local Councils in Wales – A Practitioners’ Guide”.
- b All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council’s financial regulations. Orders for the payment of money shall be authorised by resolution of the Town Council and signed by two Members.
- c The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
 - i. the Council’s receipts and payments (or income and expenditure) for each quarter;
 - ii. the Council’s aggregate receipts and payments (or income and expenditure) for the year to date;
 - iii. the balances held at the end of the quarter being reported and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
 - i. each councillor with a statement summarising the Council’s receipts and payments (or income and expenditure) for the last quarter and the year to date for information; and
 - ii. to the Council the accounting statements for the year in the form of Section 1 of the annual governance and accountability return, as required by proper practices, for consideration and approval.
- e The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all councillors at least 14 days prior to anticipated approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

33. FINANCIAL CONTROLS AND PROCUREMENT

- a Any motion which, if carried, would substantially increase the expenditure upon any service 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. Any Committee affected by it shall consider whether it wishes to report thereon, and the Building and Finance Committee shall report on the financial aspects and implications of the motion.
- b This Standing Order shall not apply to motions in pursuance of a recommendation or report of the Building and Finance Committee, or of another Committee where the said report or recommendation has been accepted, endorsed or approved by the Building and Finance Committee.
- c 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 keeping of accounting records and systems of internal controls;
 - ii. the assessment and management of financial risks faced by the Council;
 - iii. the work of the independent internal auditor in accordance with proper practices 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; and
 - v. subject to standing orders 33(e) and (f) whether contracts with an estimated value below £200 or due to special circumstances are exempt from a tendering process or procurement exercise .
- d Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
 - i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
 - iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
 - iv. tenders are to be submitted in writing in a sealed marked envelope

addressed to the Town Clerk;

- v. tenders shall be opened by the Town Clerk in the presence of at least one councillor after the deadline for submission of tenders has passed;
 - vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
- e Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- f **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.**
- g **A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.**

34. APPOINTMENT OF COUNCIL STAFF

- a The Town Council shall from time to time, after consultation with any Committee primarily concerned, determine the establishment of the Council. No new office shall be created nor any person be employed in addition to the approved establishment except with the agreement of the Council.
- b Subject to any statutory exceptions all appointments to a paid office or employment shall be made on merit.
- c All vacancies to be filled in offices under the Council not being at a weekly wage, unless they are to be filled by promotion or transfer, shall be publicly advertised except where the Council otherwise determines. Provided that where, within six months of the filling of a vacancy which has been publicly advertised, a similar vacancy occurs in an office in the appointment of the Council, the Council or appointing Committee or Sub-Committee (if possessing delegated powers) may agree to appoint one of the former applicants.
- d No appointment shall be made to the staff of the Council, except in accordance with the establishments, scales of salaries and conditions of service from time to time prescribed by the Council and applicable thereto.

35. HANDLING STAFF MATTERS

- a A matter personal to a member of staff that is being considered by a meeting of Council is subject to standing order 20.
- b Subject to the Council's policy regarding absences from work, the Council's most senior member of staff shall notify the Town Mayor or, if he is not available, the Deputy Town Mayor of absence occasioned by illness or other reason and that person shall report such absence to Council at its next meeting.
- c The Council Leader or in his absence, the Deputy Leader shall upon a resolution conduct a review of the performance and annual appraisal of the work of the Town Clerk. The reviews and appraisal shall be reported in writing and are subject to approval by resolution by the Council
- d Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior member of staff (or other members of staff) shall contact the Town Mayor or in his absence, the Deputy Town Mayor in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Council.
- e Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the Town Clerk relates to the Town Mayor or Deputy Town Mayor, this shall be communicated to another

member of Council, which shall be reported back and progressed by resolution of the Council.

- f Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.
- g Persons with line management responsibilities shall have access to staff records referred to in standing order 35(f).
- h No discussion shall take place at a meeting of the Council or any of its Committees as to the appointment, conduct, promotion, dismissal, salary, pension or conditions of service of any person employed by the Council, until the Council, Committee or Sub-Committee, as the case may be, has decided whether or not to exclude the public (including the press) under the provisions of the Public Bodies (Admission to Meetings) Act 1960 (as amended) see standing order 38.
- i The contents of all papers of a confidential nature, which refer to a member of staff or person being considered for appointment to any paid or unpaid post, should not be divulged to third parties. On completion of any discussion and decision making process the relevant papers shall be returned to the Town Clerk for disposal in a secure manner.

36. RESPONSIBILITIES TO PROVIDE INFORMATION

See also standing order 37.

- a **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**

37. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

(Below is not an exclusive list).

See also standing order 18.

- a **The Council may appoint a Data Protection Officer.**
- b **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.**
- c **The Council shall have a written policy in place for responding to and managing a personal data breach.**

- d **The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.**
- e **The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.**
- f **The Council shall maintain a written record of its processing activities.**

38. ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

- a So far as is practicable the public and press shall be admitted to all meetings of the Council, its Committees, Sub-Committees and Joint Committees in accordance with the provisions of the Public Bodies (Admission to Meetings) Act 1960 (as amended).
- b The public and the press may be excluded from a meeting or for a specific item of business only where publicity would be prejudicial to the public interest by reason of the special or confidential nature of the business to be transacted. Exclusion shall be achieved by resolution of the meeting and the reason shall be stated in the resolution. The form of resolution shall be as follows:

That, in view of the confidential nature of the business to be transacted, the following item(s) be considered in private, and that the power of exclusion of the public under Section 1(2) of the Public Bodies (Admission to Meetings) Act 1960 be exercised.

- c All proceedings of the Council, its Committees, Sub-Committees, Working Groups or Panels which are not open to the public shall be treated as confidential. No Member or Officer shall reveal any information which resulted in, or contributed towards the decision to exclude the public and the press during the consideration of the matter, and any comment on the decision reached shall be couched in terms that do not breach the requirement of confidentiality.
- d The Town Clerk shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present.
- e There shall be no audio or video recording or photographs of any meeting without the express approval of the Council, Committee, Sub-Committee, Working Group or Panel (as the case may be); this approval shall not be unreasonably withheld.
- f If a member of the public interrupts or otherwise disrupts the proceedings of any meeting, the person chairing the meeting shall issue a warning. If the interruption or disruption continues, the removal of the person from the meeting room shall be ordered. In the case of general disturbance the person chairing the meeting may order that that part of the room open to the public shall be cleared.

39. RELATIONS WITH THE PRESS/MEDIA

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

40. DEPUTATIONS

- a Deputations wishing to attend before the Council shall (if possible) give notice to the Town Clerk, in writing, at least ten clear days before the Council meeting stating the purpose, the names of the persons forming the deputation and the name of the person(s) who will speak on behalf of the deputation.
- b The Town Clerk shall consult the Town Mayor and/or Council Leader who shall decide whether a deputation shall attend before the Council or before a Committee.
- c The number of a deputation shall not exceed five persons of whom not more than two shall be permitted to speak. The time occupied by the combined speeches shall not exceed ten minutes unless otherwise agreed by the Council or Committee.
- d No discussion shall take place on the subject matter referred to by the deputation and, after the deputation has withdrawn, any Member may move that the subject matter be referred to the relevant Committee or to a subsequent Committee meeting as appropriate, or ordered to lie on the table.

41. EXECUTION AND SEALING OF LEGAL DEEDS

See also standing orders 27(b)(xv) and (xx).

- a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- b The Common Seal of the Council shall be affixed to all documents requiring to be sealed.
- c The Common Seal shall be attested by the Town Mayor and Town Clerk and a numbered record shall be kept of every sealing of a document.

42. STANDING ORDERS GENERALLY

- a All or part of a standing order, except one that incorporates mandatory statutory or legal requirements may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory or legal requirements, shall be proposed by a special motion unless there shall be present at least one-half of the whole number of members of the Council.
- c If any motion to add to, vary or revoke these Standing Orders has a significant financial impact then the motion shall, when proposed and seconded, stand referred without discussion to the Building and Finance Committee for consideration and report to the next ordinary meeting of the Council.
- d A printed copy of these Standing Orders shall be given to each Member of the Council by the Town Clerk as soon as possible after the receipt of the Member's Declaration of Acceptance of Office and Undertaking to observe the Council's Code of Conduct, on the Member being first elected to the Council.
- e The ruling of the Town Mayor, or person chairing a meeting, as to the construction or application of any of these Standing Orders, or as to the proceedings of the Council or its Committees, shall not be challenged.
- f These Standing Orders shall be read in conjunction with the Financial Regulations of the Council.

DELEGATIONS UNDER STANDING ORDER NO. 28.b
Approved at the Council Meeting held on 12th May 2011
[Minute No. 10 refers]

- (1) That Council delegates its authority to comment on Planning Applications, Traffic Orders, Licensing Applications and Consultation documents to the Planning, Licensing and Consultation Committee;
- (2) That Council delegates its authority to award grants to local organisations to the Building and Finance Committee;
- (3) That Council delegates its authority to award grants in relation to twinning to the Town Twinning Committee;
- (4) That Council delegates its authority to award grants in relation to the use of the Selwyn Samuel Centre to the Selwyn Samuel Centre Committee;
- (5) That Council delegates its authority to award grants in relation to the use of Stebonheath Park to the Stebonheath Development Committee.

STANDING COMMITTEES – TERMS OF REFERENCE

PLANNING, LICENSING AND CONSULTATION COMMITTEE

Planning Control and Development; Environmental matters (except for tree planting); Traffic regulations; Naming of properties/developments; Licensing; Scrutinising all documents referred to the Council by way of consultation and replying appropriately on the Council's behalf.

BUILDING AND FINANCE COMMITTEE

All matters relating to Council accounts, income and expenditure and virements; Management and maintenance of Council land and properties; Parks, recreation grounds and open spaces; Community centres; Grants and loans; Insurances; Allotments; Public lighting; Amenity and community projects; Capital schemes; Public footpaths.

STEBONHEATH DEVELOPMENT COMMITTEE

All matters relating to Stebonheath Park.

SELWYN SAMUEL CENTRE COMMITTEE

All matters relating to the Selwyn Samuel Indoor Bowls Centre and Lliedi Suite.

TOWN TWINNING COMMITTEE

All matters relating to the twinning of Llanelli with other towns.

ESTABLISHMENT COMMITTEE

All matters relating to the terms and conditions of employment of council employees.

EX-TOWN MAYORS' COMMITTEE

All civic and ceremonial matters relating to the mayoralty, annual mayoral allowance, members code of conduct issues.

WELL-BEING OF FUTURE GENERATIONS

All matters relating to the Well-Being of Future Generations Working Group

LLANELLY HOUSE

All matters relating to Llanelly House.

JOINT COMMITTEES

LLANELLI JOINT BURIAL ADVISORY COMMITTEE

All matters relating to the Llanelli District Cemetery, and all other matters concerning the burial or cremation of the dead which may fall within the Committee's remit from time to time.

PARC HOWARD COLLABORATION GROUP

All matters relating to Parc Howard.

LLANELLI TRAFFIC MANAGEMENT WORKING GROUP

All matters relating to the traffic conditions in the Llanelli area.