



Banbury Town Council

STANDING ORDERS

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1 Meetings

- a) **Meetings shall not take place in premises, which at the time of the meeting, are used for the supply of alcohol unless no other premises are available free of charge or at a reasonable cost.**
- b) **When calculating the 3 clear days for notice of a meeting to councillors and the public, the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning shall not count.**
- c) **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.**
- d) Subject to standing order 1(c) above, Banbury residents are permitted, at the discretion of the Town Mayor, to ask questions in respect of any item of business included in the agenda for the meeting of the full Council or which relate either to matters over which the Council has power or its administrative area.
- e) The period of time which is designated for public participation at meetings of the full Council in accordance with standing order 1(d) above shall not exceed (20) minutes. There shall be no public participation session at the Annual Council Meeting.
- f) Subject to standing order 1(e) above, each member of the public is entitled to speak once only in respect of business itemised on the agenda for the full Council meeting and shall not speak for more than (5) minutes.
- g) In accordance with standing order 1(d) above, a question asked by a member of the public during a public participation session at a meeting of the full Council shall not require a response or debate.

- h) In accordance with standing order 1(g) above, the Town Mayor may direct that a response to a question posed by a member of the public be referred to a Councillor for a oral response or to an employee for a written or oral response.
- i) A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- j) A person shall stand when requesting to speak and when speaking (except when a person has a disability or is likely to suffer discomfort)]. The Town Mayor may at any time permit an individual to be seated when speaking.
- k) Any person speaking at a meeting shall address his comments to the Town Mayor.
- l) Only one person is permitted to speak at a time. If more than one person wishes to speak, the Town Mayor shall direct the order of speaking. Where a number of people wish to make similar representations they should be prepared to select one person from amongst their number to speak for them all. Where different people wish to speak on each side of a debate then each side must be willing to appoint one member to represent their views.
- m) Audio and visual recordings of a meeting of the Council, Committees and other Council bodies by the general public, or the media, is permitted. It would be helpful if those wishing to record could contact the Council before the meeting so that we can ensure the necessary facilities are in place. The Town Mayor (or the Chairman of the meeting) will advise the public that the meeting is being recorded. A request to record a meeting shall only be refused if the Town Mayor believes recording would disrupt the meeting. The purpose of this standing order is to provide guidance for members of the press, or public, on the taking of photographs and/ or the audio / visual recording of any Council meeting which is held in public.**

There are no restrictions on anyone at a Council meeting using Twitter, blogs, Facebook or similar social media provided that the Town Mayor does not consider their actions are disrupting the proceedings of the meeting.

- n) In accordance with standing order 1(c) above, the press shall be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**

- o) Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Town Mayor (or Chairman of a Committee/Sub Committee) may in his absence be done by, to or before the Deputy Town Mayor (or Vice-Chairman).**

- p) The Town Mayor, if present, shall preside at a meeting of the Council. If the Town Mayor is absent from a meeting, the Deputy Town Mayor, if present, shall preside. If both are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.**

- q) Subject to model standing order 1 (x) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.**

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

- s) Unless standing orders provide otherwise, voting on any question shall be by a show of hands. At the request of two Councillors, 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.**

- t) The minutes of a meeting shall record the names of councillors present and absent.**

- u) The code of conduct adopted by the Council shall apply to councillors and co-opted members in respect of the entire meeting.**

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

- w) **No business may be transacted at a meeting unless at least one third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than 3.**
- x) **If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be adjourned. Any outstanding business of a meeting so adjourned shall be transacted at a following meeting.**

2 Ordinary Council meetings

See also standing order 1 above

- a **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the new councillors elected take office.**
- b **In a year which is not an election year, the annual meeting of a Council shall be held on such day in May as the Council may direct.**
- c **If no other time is fixed, the annual meeting of the Council shall take place at 6pm.**
- d **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council directs.**
- e **The election of the Town Mayor and Deputy Town Mayor shall be the first business completed at the annual meeting of the Council.**
- 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, 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 meeting until a successor has been elected. The current Town Mayor shall not have an original vote in respect of the election of the new Town Mayor but must 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 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 must give a casting vote in the case of an equality of votes.**

- j Following the election of the Town Mayor and Deputy Town Mayor at the annual meeting of the Council, the order of business shall be as follows.
 - i. In an election year, delivery by councillors of their declarations of acceptance of office.
 - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council and to receive and note minutes of and/or to determine recommendations made by committees.
 - iii. Receipt of nominations to existing committees.
 - iv. Appointment of any new committees, confirmation of the terms of reference, the number of members (including, if appropriate, substitute councillors) and receipt of nominations to them.
 - v. To appoint representatives to Outside Bodies
 - vi. In a year of elections, if a Council's period of eligibility to exercise the power of General Competence expired the day before the annual meeting, to review and make arrangements to reaffirm eligibility.

3 Proper Officer

- a The Council's Proper Officer shall be the Town Clerk or such other employee appointed by the Council to undertake the role of the Proper Officer during the Proper Officer's absence. The Proper Officer and the employee appointed to act as such during the Proper Officer's absence shall fulfil the duties assigned to the Proper Officer in standing orders.

- b The Council's Proper Officer shall do or make arrangements for the doing of the following.
 - i. **Sign and serve on councillors by delivery or post at their residences a summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee and sub-committee at least 3 clear days before the meeting.**

- ii. **Give public notice of the time, date, venue and agenda at least 3 clear days before a meeting of the Council or a meeting of a committee or a sub- committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**
- iii. Subject to standing orders 4(a)–(e) below, include in the agenda all motions in the order received unless a councillor has given written notice before the agenda for the meeting has been sent out confirming his withdrawal of it.
- iv. **Convene a meeting of full Council for the election of a new Town Mayor, occasioned by a casual vacancy in his office, in accordance with standing order 3(b)i above.**
- v. Make available for inspection the minutes of meetings.
- vi. **Receive and retain copies of byelaws made by other local authorities.**
- vii. **Receive and retain declarations of acceptance of office from councillors.**
- viii. Retain a copy of every councillor's register of interests and any changes to it and keep copies of the same available for inspection.
- ix. Keep proper records required before and after meetings;
- x. Process all requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council's procedures relating to the same.
- xi. Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
- xii. Manage the organisation, storage of and access to information held by the Council in paper and electronic form.
- xiii. Arrange for legal deeds to be sealed using the Council's common seal (*See also standing orders 14(a) and (b).*)
- xiv. Arrange for the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations.
- xv. Record every planning application notified to the Council and the Council's response to the local planning authority on the Council's Planning Database;;
- xvi. Refer a planning application received by the Council to the Ward Councillors for comment
- xvii. Retain custody of the seal of the Council which shall not be used without a resolution to that effect.
- xviii. Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.

4 Motions requiring written notice

- a In accordance with standing order 3(b)(iii) above, no motion may be moved at a meeting unless it is included in the agenda and the mover has given written notice of its wording to the Council's Proper Officer at least 7 clear days before the next meeting.
- b The Proper Officer may, before including a motion in the agenda received in accordance with standing order 4(a) above, correct obvious grammatical or typographical errors in the wording of the motion.
- c If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Town Mayor or, as the case may be, the Councillors who have convened the meeting, to consider whether the motion shall be included or rejected in the agenda. The proposer of the motion shall be advised accordingly.
- d Having consulted the Town Mayor or councillors pursuant to standing order 4(c) above, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.
- e Notice of every motion received in accordance with the Council's standing orders shall be numbered in the order received and shall be entered in a book, which shall be open to inspection by all councillors.
- f Every motion rejected in accordance with the Council's standing orders shall be duly recorded with a note by the Proper Officer giving reasons for its rejection in a book for that purpose, which shall be open to inspection by all councillors.
- g Every motion and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area or its residents.
- h If a motion falls within the terms of reference of a committee or sub-committee or within the delegated powers conferred on an employee, a referral of the same may be made to such committee or sub-committee or employee provided that the Town Mayor may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

5 Motions not requiring written notice

- a Motions in respect of the following matters may be moved without written notice.
- i. To appoint a person to preside at a meeting.
 - ii. To record the absences of councillors.
 - iii. To approve the accuracy of the minutes of the previous meeting.
 - iv. To correct an inaccuracy in the minutes of the previous meeting.
 - v. To dispose of business, if any, remaining from the last meeting.
 - vi. To alter the order of business on the agenda for reasons of urgency or expedience.
 - vii. To proceed to the next business on the agenda.
 - viii. To close or adjourn debate.
 - ix. To refer by formal delegation a matter to a committee or to a sub-committee or an employee.
 - x. To appoint a committee or sub-committee or any councillors (including substitutes) thereto.
 - xi. To receive nominations to a committee or sub-committee.
 - xii. To dissolve a committee or sub-committee.
 - xiii. To note the minutes of a meeting of a committee or sub-committee.
 - xiv. To consider a report and/or recommendations made by a committee or a sub-committee or an employee.
 - xv. To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
 - xvi. To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
 - xvii. To extend the time limit for speeches.
 - xviii. To exclude the press and public for all or part of a meeting.
 - xix. To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
 - xx. To give the consent of the Council if such consent is required by standing orders.
 - xxi. To suspend any standing order except those which are mandatory by law.**
 - xxii. To adjourn the meeting.
 - xxiii. To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
 - xxiv. To answer questions from councillors.

6 Rules of debate

- a Motions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Town Mayor's direction for reasons of expedience.
- b Subject to standing orders 4(a)–(e) above, a motion shall not be considered unless it has been proposed and seconded.
- c Subject to standing order 3(b)(iii) above, a motion included in an agenda not moved by the councillor who tabled it, may be treated as withdrawn.
- d A motion to amend an original or substantive motion shall not be considered unless proper notice has been given after the original or substantive motion has been seconded and notice of such amendment, shall, if required by the Town Mayor, be reduced to writing and handed to the Town Mayor who shall determine the order in which they are considered.
- e A Councillor may move amendments to his own motion. If a motion has already been seconded, an amendment to it shall be with the consent of the seconder.
- f Any amendment to a motion shall be either:
 - i. to leave out words;
 - ii. to add words;
 - iii. to leave out words and add other words.
- g A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration.
- h Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Town Mayor. No further amendment to a motion shall be moved until the previous amendment has been disposed of.
- i Subject to Standing Order 6(h) above, one or more amendments may be discussed together if the Town Mayor considers this expedient but shall be voted upon separately.

- j Pursuant to standing order 6(h) above, the number of amendments to an original or substantive motion, which may be moved by a councillor, is limited to one.
- k If an amendment is not carried, other amendments shall be moved in the order directed by the Town Mayor.
- l If an amendment is carried, the original motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.
- m The mover of a motion or the mover of an amendment shall have a right of reply, not exceeding (5) minutes.
- n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply in respect of the substantive motion at the very end of debate and immediately before it is put to the vote.
- o Subject to standing orders 6(m) and (n) above, a councillor may not speak further in respect of any one motion except to speak once on an amendment moved by another councillor or to make a point of order or to give a personal explanation.
- p During the debate of a motion, a councillor may interrupt only on a point of order or a personal explanation and the councillor who was interrupted shall stop speaking. A Councillor raising a point of order shall identify the standing order which he considers has been breached or specify the irregularity in the meeting he is concerned by.
- q A point of order shall be decided by the Town Mayor and his decision shall be final.
- r With the consent of the seconder and/or of the meeting, a motion or amendment may be withdrawn by the proposer. A councillor shall not speak upon the said motion or amendment unless permission for the withdrawal of the motion or amendment has been refused.

- s Subject to standing order 6(o) above, when a councillor's motion is under debate no other motion shall be moved except:
 - i. to amend the motion;
 - ii. to proceed to the next business;
 - iii. to adjourn the debate;
 - iv. to put the motion to a vote;
 - v. to ask a person to be silent or for him to leave the meeting;
 - vi. to refer a motion to a committee or sub-committee for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting;
 - ix. to suspend any standing order, except those which are mandatory.

- t In respect of standing order 6(s)(iv) above, the Town Mayor shall first be satisfied that the motion has been sufficiently debated before it is put to the vote. The Town Mayor shall call upon the mover of the motion under debate to exercise or waive his right of reply and shall put the motion to the vote after that right has been exercised or waived. The adjournment of a debate or of the meeting shall not prejudice the mover's right of reply at the resumption.

7 Code of conduct (England)

See also model standing orders 1(d)–(i) above

- a **All councillors shall observe the code of conduct adopted by the Council.**

- b All councillors shall be encouraged to undertake training in the code of conduct within 6 months of the delivery of their declaration of acceptance of office.

- c **Councillors with a Disclosable Pecuniary Interest in relation to any item of business being transacted at a meeting shall as soon as practicable after the start of the meeting make a disclosure as to the nature as well as the existence of that interest; and thereafter, leave the room or chamber.**

8 Questions

(See also Standing Order 1(d) to 1(k))

- a A councillor may seek an answer to a question concerning any business of the Council provided notice of the question has been given to the person to whom it is addressed before the meeting begins.
- b Questions not related to items of business on the agenda for a meeting shall only be asked during the part of the meeting set aside for such questions.
- c Every question shall be put and answered without discussion.
- d A person to whom a question has been put may decline to answer.
- e At all meetings of the Council except at the Annual Council Meeting a period of up to 20 minutes in total shall be allocated in accordance with Standing Order 1(d) where the Town Mayor may at his/her discretion, allow any Banbury resident to address the meeting, subject to:
 - no member of the public speaking for more than five minutes;
 - where a number of people wish to make similar representations they are prepared to select one person from amongst their number to speak for them all; and
 - where different people wish to speak on each side of a debate then each side being willing to appoint one member to represent their views.
- f Such sessions form part of the Council meeting in law and shall be duly minuted.

9 Minutes

- a If a copy of the minutes of a preceding meeting has been circulated to councillors no later than the day of service of the summons to attend the scheduled meeting they shall be taken as read.
- b No discussion of the minutes of a preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the minutes shall be raised in accordance with standing order 5(a)(iv) above.

- c Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the Town Mayor or Chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.

10 Disorderly conduct

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly.
- b If, in the opinion of the Town Mayor or Chairman, there has been a breach of standing order 10(a) above, the Town Mayor or Chairman shall express that opinion and thereafter any councillor (including the Town Mayor or Chairman) may move that the person be silenced or excluded from the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
- c If a resolution made in accordance with standing order 10(b) above, is disobeyed, the Town Mayor or Chairman may take such further steps as may reasonably be necessary to enforce it and/or he may adjourn the meeting.

11 Rescission of previous resolutions

- a A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months except either by a special motion, the written notice whereof bears the names of at least 6 councillors of the Council, or by a motion moved in pursuance of the report or recommendation of a committee.
- b When a special motion or any other motion moved pursuant to standing order 11(a) above has been disposed of, no similar motion may be moved within a further 6 months.

12

Voting on appointments

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

13 Expenditure

- a Any expenditure incurred by the Council shall be in accordance with the Council's financial regulations.
- b The Council's financial regulations shall be reviewed once a year.**
- c The Council's financial regulations may make provision for the authorisation of the payment of money in exercise of any of the Council's functions to be delegated to a committee, sub-committee or to an employee.**

14 Execution and sealing of legal deeds /documents

- a A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.
- b In accordance with a resolution made under standing order 14(a) above, the Council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Town Clerk**
- c A resolution of the Council or of a Committee (where that Committee has the power) or the exercise of any power under delegation arrangements authorising the acceptance of any tender or quotation, the purchase, sale, letting or taking of any property, the making of any payment, the issue of any stock, the transfer of shares and other investment transactions, the presentation of any petition, memorial or address, the making of any rate or contract or the doing of, or any other matter or thing, shall be sufficient authority for the sealing of any document necessary to give effect thereto.
- d The Town Clerk may sign on behalf of the Council, any agreement or other document not requiring to be executed under seal and he or his authorised alternate, may sign on behalf of the Council any notice, order or other document not required to be executed under seal, the subject matter of which has been approved by or on behalf of the Council or any Committee or Sub-Committee thereof or Officer authorised so to act under delegation arrangements.

- e An entry of the sealing of every deed and document to which the Common Seal shall have been affixed shall be made in a book to be provided for that purpose and shall be signed by the person present at the sealing.

- f Where any document will be a necessary step in legal proceedings on behalf of the Council it shall, unless any enactment otherwise requires or authorises or the Council shall have given the necessary authority to some other person for the purpose of such proceedings, be signed by the Town Clerk, or other Officer authorised so to act under delegation arrangements.

15 Committees

See also standing order 1 above

- a The Council may at its Annual Town Council Meeting appoint standing committees and may at any other time appoint such other committees as are necessary, but subject to any statutory provision in that behalf: -
 - Shall not appoint any member of a Committee so as to hold office later than the next Annual Meeting.
 - May appoint persons other than members of the Council, in a non-voting capacity, to any Committee.
 - May subject to the provisions of Standing Order 11 above at any time dissolve or alter the membership of a committee.
 - May at any time give instructions to or modify or revoke the powers or duties of any Committee.
 - Shall, as far as is practicable appoint members to Standing Committees in proportion to the number of Councillors in each group to which they affiliate.

- b Every committee shall at its first meeting before proceeding to any other business, elect a Chairman and may elect a Vice-chairman who shall hold office until the next Annual Meeting of the Council.

- c The quorum of Committees and of Sub-Committees shall be one third of the whole number of members of the Committee or Sub-Committee but shall not be less than three members of a Committee or two members of a Sub-Committee.

16 Sub-committees

See also standing order 1 above

- a Unless there is a Council resolution to the contrary, every committee may appoint a sub-committee whose terms of reference and members shall be determined by resolution of the committee.

17 Extraordinary meetings

See also standing order 1 above

- a **The Town Mayor may convene an extraordinary meeting of the Council at any time.**

- b **If the Town Mayor does not or refuses to call an extraordinary meeting of the Council within 7 days of having been requested to do so by two councillors, those two councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two councillors.**

- c The Chairman of a committee (or a sub-committee) may convene an extraordinary meeting of the committee or sub-committee at any time.

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

18 Advisory committees

See also standing order 1 above

- a The Council may appoint advisory committees comprised of a number of councillors and non-councillors.

- b Advisory committees and any sub-committees may consist wholly of persons who are non-councillors.

19 Presence of Non-Members at Meetings

- a A member who has proposed a resolution, which has been referred to any committee of which he is not a member, may explain his resolution to the committee but shall not vote.
- b A Member of the Council may attend as an observer, without a right to speak or vote, a meeting of any Committee or Sub-Committee of which he is not a Member, even if members of the public have been excluded, except when a matter in respect of which he would be required to declare a Disclosable Pecuniary Interest is to be discussed.
- c A Member of the Council may attend, without a right to vote, any meeting of a Committee or Sub-Committee of which they are not a Member, in order to make a statement on a particular item of business of which notice has been given in the formal agenda and which directly and specifically affects the Ward they represent. Such attendance shall not be allowed if the matter is one where the Member would be required to declare a Disclosable Pecuniary Interest.
- d A Member attending a meeting as a Ward Member to make a statement shall notify the Town Clerk prior to the start of the meeting so as to enable a proper record to be made in the Minutes.
- e Where alternate membership of a Committee or Sub-Committee is permitted, each Political Group may have an unlimited number of alternate members for that Committee or Sub-Committee provided that each alternate member has been duly appointed as such by the Council or by the parent Committee.
- f If a Member of a Committee or Sub-Committee (with the exception of such bodies where the Council has decided alternate members shall not be appointed) is unable to attend a meeting thereof, a duly appointed named alternate member shall be entitled to attend, speak and vote at the meeting provided that:-
 - (i) no member shall be entitled to act as an alternate for more than one member at any one meeting;
 - (ii) the name of the alternate member is notified to the Town Clerk before the time appointed for the start of the meeting, and shall be reported formally by him to the meeting and the substitution recorded in the Minutes;
 - (iii) the attendance of the alternate member shall apply for the whole of the meetings in question;

- g The provisions of paragraphs (e) and (f) above shall apply also to a vacant seat on a Committee or Sub-Committee created when a Member vacates his or her seat on the Council for whatever reason prior to the expiry of their elected term of office, until such time as the seat on the Committee or Sub-Committee has been filled.
- h The Town Mayor shall be entitled to attend and speak, but may not vote at meetings of any Committee/Sub-Committee of which they are not appointed Members.
- i A Member who is appointed as the Leader of a Political Group represented on the Council shall be entitled to attend and speak at all meetings of Committees and Sub-Committees of the Council. A Member who is attending a meeting as Leader of a Political Group shall advise the Town Clerk prior to the commencement of the meeting of that fact, and such attendance shall be recorded in the Minutes of the meeting.

20 Accounts and Financial Statement

- a All payments by the Council shall be authorised, approved and paid in accordance with the Council's financial regulations, which shall be reviewed at least annually.
- b The Responsible Financial Officer shall supply to each councillor as soon as practicable after 31 March a Financial Statement prepared on the appropriate accounting basis for a year to 31 March. The Statement of Accounts of the Council (which is subject to external audit), including the annual governance statement, shall be presented to Council for formal approval before 30 June.

21 Estimates/precepts

- a **The Council shall approve written estimates for the coming financial year** at its meeting before the end of January.
- b Any committee desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year no later than December.

22 Canvassing of and recommendations by councillors

- a Canvassing councillors or the members of a committee or sub-committee, directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such an appointment. The Proper Officer shall disclose the requirements of this standing order to every candidate.
- b A councillor or a member of a committee or sub-committee shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for promotion; but, nevertheless, any such person may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- c This standing order shall apply to tenders as if the person making the tender were a candidate for an appointment.

23 Inspection of document

- a Subject to standing orders to the contrary or in respect of matters which are confidential, a councillor may, for the purpose of his official duties (but not otherwise), inspect any document in the possession of the Council or a committee or a sub-committee, and request a copy for the same purpose. The minutes of meetings of the Council, its committees or sub-committees shall be available for inspection by councillors.

24 Unauthorised activities

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

25 Confidential business

- a Councillors shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature.
- b A councillor in breach of the provisions of standing order 25(a) above may be removed from a committee or a sub-committee by a resolution of the Council.

26 Power of General Competence

- a **Before exercising the power of general competence , a meeting of the full Council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria required to qualify as an eligible parish council.**
- b **The Council's period of eligibility begins on the date that the resolution under standing order 26 (a) above was made and expires on the day before the annual meeting of the Council that takes place in a year of ordinary elections.**

27 Matters affecting council employees

- a If a meeting considers any matter personal to a Council employee, it shall not be considered at a meeting until the meeting has decided whether or not the press and public shall be excluded pursuant to standing order 1(c) above.
- b Any persons responsible for all or part of the management of Council employees shall keep written records of all meetings relating to their performance, and capabilities, grievance and disciplinary matters.
- c The Council shall keep written records relating to employees secure. All paper records shall be secured under lock and electronic records shall be password protected.
- d Records documenting reasons for an employee's absence due to ill health or details of a medical condition shall be made available only to those persons with responsibility for the same.

- e Only persons with line management responsibilities shall have access to employee records if so justified.
- f Access and means of access by keys and/or computer passwords to records of employment shall be provided only to the Town Clerk and Deputy Town Clerk.

28 Relations with the press/media

- a All requests from the press or other media for an oral or written statement or comment from the Council shall be processed in accordance with the Council's policy in respect of dealing with the press and/or other media.

29 Liaison with District and County Councillors

- a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the councillors of the District and County Councils representing Banbury electoral divisions/wards.

30 Financial matters

- a The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
 - i. the accounting records and systems of internal control;
 - ii. the assessment and management of financial risks faced by the Council;
 - iii. the work of the Internal Auditor and the receipt of regular reports from the Internal Auditor, which shall be required at least annually;
 - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments;
 - v. procurement policies (subject to standing order 30(b) below) including the setting of values for different procedures where the contract has an estimated value of less than £50,000.

- b **Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £25,000 shall comply with the relevant requirements of the Public Contracts Regulations 2015.**

- c Any formal tender process shall comprise the following steps:
 - i. a public notice of intention to place a contract to be placed in a local newspaper or in any other manner that is appropriate;
 - ii. a specification of the goods, materials, services and the execution of works shall be drawn up;
 - iii. tenders are to be sent, in a sealed marked envelope, to the Town Clerk by a stated date and time;
 - iv. tenders submitted are to be opened, after the stated closing date and time, by the Town Clerk or Deputy Town Clerk and at least one member of the Council;
 - v. tenders are then to be assessed and reported to the appropriate meeting of Council or Committee.

- d Neither the Council, nor any committee, is bound to accept the lowest tender, estimate or quote.

- e **Where the value of a contract is likely to exceed the threshold specified by the Office of Government Commerce from time to time the Council must consider whether the Public Contracts Regulations 2015 and the Utilities Contracts Regulations 2006 (SI No. 6, as amended) apply to the contract and, if either of those Regulations apply, the Council must comply with EU procurement rules.**

31 Allegations of breaches of the code of conduct

- a **Any complaints regarding breaches of the Council's Code of Conduct shall be referred to the Monitoring Officer of Cherwell District Council.**

32 Variation, revocation and suspension of standing orders

- a Any or every part of the standing orders, except those which are mandatory by law and shown in bold type, may be suspended by resolution in relation to any specific item of business.
- b A motion to permanently add to or to vary or to revoke one or more of the Council's standing orders not mandatory by law shall not be carried unless two-thirds of the councillors at a meeting of the Council vote in favour of the same.

33 Standing orders to be given to councillors

- a The Town Clerk shall provide a copy of the Council's standing orders to a councillor upon delivery of his declaration of acceptance of office.
- b The Town Mayor/Chairman's decision as to the application of standing orders at meetings shall be final.