



LLANDWROG COMMUNITY COUNCIL

STANDING ORDERS

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STANDING ORDERS - LLANDWROG COMMUNITY COUNCIL.

1. Introduction to the Standing Orders.

- 1.1. The Welsh language presentation provides the definitive version of the Standing Orders for any purpose of establishing true meaning and definition.
- 1.2. The Standing Orders are to ensure that Llandwrog Community Council procedure`s are carried out with routine and with consistency.
- 1.3. The Standing Orders will be relevant to all meetings, business and Council staff that are referred to in them.
- 1.4. The Council has adopted a number of policies for its activities.
- 1.5. The Chairman`s decision, with the **Administration and Finance Manager`s (A&FM)** advice and assistance will be final in any case of interpretation of the Standing Orders.
- 1.6. Where statute, regulations or an order imposing a function or duty on "Proper Officer" of the Council, then the **Administration and Finance Manager (A&FM)** of the Council will be the "Proper Officer", or any other person nominated by the Council to undertake the A&FM`s duties when the A&FM is absent.

1. Council Meetings .

2.1. General :

- 2.1.1. Taking photographs, recording or transmitting discussion at meetings in any way is prohibited without prior written consent of the Council.
- 2.1.2. The press will have reasonable facilities for making their report of a meeting or part of a meeting which they are entitled to attend.
- 2.1.3. Statements to the press from the Council are released by the A&FM with the Chairman`s authorisation.
- 2.1.4. The Standing Orders are relevant to all meetings of the Council, its committees or working groups. The Chairman can set aside the Standing Orders during the meeting and only with the agreement of at least two-thirds of the members present.

2.2. Convening Meetings :

- 2.2.1. A minimum of 3 days public notice is given prior to meetings. This minimum does not include the day the notice is published, the day of the meeting, Sunday, Christmas holidays, Easter bank holiday or a day set for public thanksgiving or mourning.
- 2.2.2. Meetings cannot be held at buildings where at the time of the meeting is being used for the supply of alcohol, unless there are no other buildings available free of charge or at a reasonable cost.

2.3. The Public :

- 2.3.1. Council meetings are open to the public. While the public's presence is encouraged, they are not allowed to participate in discussion except at the request of the Council. The public cannot express their views or ask questions unless there is a specified break in a meeting. Such a break will not be part of the formal meeting itself and the Council must unanimously agree with the Chairman that this may happen.
- 2.3.2. When information is received that in the opinion of the Chairman and the A&FM, is confidential or sensitive, the agenda, papers which complement the agenda and minutes of the meeting must not disclose or in any way undermine confidential or sensitive information. Members and staff are not allowed to disclose information identified as confidential or sensitive.
- 2.3.3 The Chairman will request the public to leave the meeting for the Council to discuss any case that it has declared to require a measure of secrecy and formally request members not to give details to others about any information they receive. In such a case, the A&FM will not record the relevant details in the book of public minutes.

2.4. Agenda Items for meetings:

- 2.4.1. Agenda items which must reach the A&FM by written notice.
 - 1) A request for discussion as regards to the responsibilities of the meeting it is presented to relating to the discharge of functions, powers or responsibilities of the Council or issues that shall affect the residents of the community Council.
 - 2) To submit a request for discussion at a meeting the proposer must provide written notification of wording to the A&FM at least 10 days prior to the meeting. These 10 days should not include the day of the notice or the day of the meeting.

- 3) If, in the opinion of the A&FM, the request received is unclear, it will be rejected until the proposer re-submits it in writing to the A&FM in a form that is clear and acceptable at least 7 full days before the meeting.

2.4.2 Agenda for the Annual Meeting.

The agenda includes the following headings, amongst others as chosen by the Council:

- 1) Election of the Chairman of the Council,
- 2) Election of the Vice Chairman of the Council,
- 3) Confirm membership of Committees,
- 4) Confirm members that will represent the Council on external committees such as governing bodies of the primary schools.

2.4.3. Agenda of the full Council Meeting

The agenda will contain the following items and it will be discussed in the same order as listed below, although the Chairman will be entitled to change the order as required:

- 1) Chairman`s welcome,
- 2) Apologies,
- 3) Declaration of interest,
- 4) Presentation by visitors / Members of Gwynedd Council,
- 5) To confirm the minutes of the previous meeting as a true record,
- 6) Matters arising from the minutes,
- 7) Minutes of Committee meetings and reports from Working Groups,
- 8) Matters arising from minutes of the Committees,
- 9) Matters arising from minutes of Working Groups,
- 10) Correspondence,
- 11) Planning applications,
- 13) Financial reports,
- 14) Matters of urgency at the request of members at the discretion of the Chairman,
- 15) Matters at the request of members to reach the next full Council meeting.

2.4.4. Committee Meetings

The agenda will include the following headings and it will be discussed in the same order as listed:

- 1) Chairmans welcome,
- 2) Apologies,
- 3) Declaration of interest,
- 4) Discuss a program that is relevant to the work of the Committee.

Members shall elect a Chairman and Vice-Chairman at the beginning of the first meeting of the Council year.

2.4.5. Working Group Meetings

The agenda will include the following items and it is discussed in the same order as listed:

- 1) Election of Chairman,
- 2) Apologies,
- 3) Declaration of interest,
- 4) Discuss a specific text or case set beforehand by the Council.

2.5. Minutes :

2.5.1 Official minutes of each meeting will include an accurate record of the following:

- 1) date, time and location of the meeting;
- 2) members` names present and absent and any apologies;
- 3) declaration of interest by members
- 4) Did a member leave the meeting due to personal interest or prejudice;
- 5) any record of public participation session;
- 6) confirm Income and Payments
- 7) decisions and relevant comments.

2.5.2. The Council's definitive official records of all its meetings will be in the Welsh language. The draft minutes shall be confirmed as correct by decision and signed by the Chairman. They then become an accurate official record of the meeting for which the records relate. A variation or change to a record of a meeting cannot be introduced after the Council has confirmed by vote that it is complete and accurate.

2.6. Annual Council meeting:

2.6.1. The annual meeting will be held in May. In a year of election, a meeting is required within 14 days of the day following the election.

2.6.2. If the current Chairman of the Council is not re-elected as a member of the Council, he/she will preside at the meeting until the new Chairman of the Council is elected. The Chairman will not have an initial vote in the election of a new Chairman, but he/she can give a casting vote if the result of the vote is equal.

2.6.3. In an election year, if the current Chairman was re-elected as a member, he/she will preside at the meeting until the new Chairman is elected, and can vote for the election of a new Chairman and it is actually and must give a casting vote if the vote is equal.

2.6.4. Having elected the Chairman and Vice Chairman at the Council's annual meeting, the work of the annual meeting will include:

- 1) In an election year, the Chairman and Vice Chairman and members must complete and sign their declaration of acceptance of office unless the Council decides that this can be done later. In a non-election year, the Chairman and Vice-Chairman will present his/her declaration of acceptance of office unless the Council decides that this can be done later.
- 2) Confirm the accuracy of the minutes of the last annual meeting of the Council;
- 3) Review delegation arrangements;
- 4) Review committee terms of reference;
- 5) Appointment of members on existing committees;
- 6) Appointment of any new committees;
- 7) Review and adopt appropriate standing orders and financial regulations;
- 8) Review representation on or work with external bodies and reporting arrangements ;
- 9) Review of land and asset inventory including office buildings and equipment
- 10) Confirm all of the Council's insurance policies ;
- 11) Review of membership subscriptions the Council and / or staff to other bodies;
- 12) Review procedure to deal with complaints ;
- 13) Review procedures the Council for dealing with requests made under the Freedom of Information Act 2000 and the current Data Protection legislation;
- 14) Review the policy for dealing with the press / media and public information in general
- 15) Determine the frequency and place of full Council meetings (where possible) up to and including the next annual meeting of the full Council

2.7. Meetings of the full Council - meetings are held within the community ideally during the third week of each month and in accordance with the arrangements of the annual meeting - except August . The Council will meet at least eleven times per year. Each member has a duty to be present and should extend an apology for the attention of the A&FM when he /she cannot attend a meeting.

2.8. Extraordinary meetings – An extraordinary meeting may be convened at the request of the Chairman, either after receiving a written detailed request stating the matter to be discussed, from another member supported by two of the members or, if he/she is of the opinion that the matter needs the attention the Council for urgent decision.

- 2.9. Committee meetings - Meetings are convened as and when required and in line with the Council's work program. The Chairman or Vice-chairman of the Council cannot be elected to those roles on a Committee.
- 2.10. Working Group meetings - Meetings are convened as and when required in accordance with the Council's work program.
- 2.11. Quorum :
- 2.11.1. Five members must attend to convene a full meeting of the Council, or three members to convene a committee or working group.
- 2.11.2. Unless within a period of ten minutes of the official start time for any meeting a quorum is not present, the Chairman will not start the meeting. If the number of members present during a meeting falls below the quorum then the Chairman will end the meeting immediately. Any matters on the agenda of the meeting undiscussed will be postponed until a future meeting.
- 2.12. Membership - Membership of a committee or working group may include non-councilors other than the Council's finance committee .

2. Order of business.

3.1. Directing the meeting :

- 3.1.1. Each meeting held by the Council, its committees and working groups and also any other meeting that will take place shall have a Chairman. The Chairman must be a member of the Council.
- 3.1.2. Subject to standing orders stating differently, anything authorized to be done by the Chairman can be done in his absence by the Vice-Chairman of the Council.
- 3.1.3. The Chairman, if present, will preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if present, will preside. If the Chairman and the Vice Chairman are absent from a meeting, members will elect a member to preside the meeting.
- 3.1.4. The Chairman shall ensure efficient and accurate management of each meeting. The Chairman shall ensure that all Council meetings are formal events and exercise authority of the Chair to enable appropriate, specific and productive discussions. His / her guidance regarding the interpretation of the Council's Standing Orders will be applied at each meeting. The Chairman has a duty to ensure that all decisions are lawful.
- 3.1.5. Applications for discussion on the agenda will be considered in the order that they appear unless the order is changed on the judgment of the Chairman of the meeting.

- 3.1.6. Representations made by members in discussions must be directed to the Chairman, and a member must raise his / her hand for permission to speak. Only one member is allowed to voice comments at a time and the Chairman may request that they do so whilst standing. If more than one member wants to speak, the Chairman of the meeting will decide on the order they will speak.
- 3.1.7. Members must restrict their comments and their contribution to the matter being discussed or to deal with order at the meeting.
- 3.1.8. A Chairman cannot ignore the wish of a member unless that wish relates to maintaining order that is not valid in the opinion of the Chairman.
- 3.1.9. A reference to maintaining orders an organisational matter in accordance with Standing Orders and does not refer to substantial or original comments in discussion. The Chairman will, following consultation, manage the matter.
- 3.2. Proposals, seconding, amendments and decisions :
 - 3.2.1. All decisions will be made by voting.
 - 3.2.2. Once a member has submitted his proposal and has secured a seconder, the Chairman should then call for an amendment from another member. An amendment can not abolish the original proposal before the Council and must convey a different substance to that in the proposal. A discussion on a proposal or amendment is not allowed once the Chairman's request to the members for a seconder has failed.
 - 3.2.3. The members will consider any amendment to a proposal, seconded, only if the Chairman of the meeting considers it to be appropriate. If more than one amendment is to be considered then they shall be submitted to the meeting for a vote in order as expressed that starts with the last one and ending with the first. A member cannot submit more than one amendment to an original or substantial proposal.
 - 3.2.4. If the original proposal is withdrawn in advance of the vote on the amendment, then the Council will make its decision by voting on the amendment, which would then have received the status of the proposal. There can be no amendment unless there is a motion.
 - 3.2.5. If the motion remains and if an amendment is agreed, that amendment will then become a motion before voting on or modifying it by further amendment.
 - 3.2.6. If the motion (including an amendment) is seconded, the proposer can only withdraw the motion or amendment with the consent of the seconder.
 - 3.2.7. There will be no further discussion on a motion or amendment that has been withdrawn.

3.2.8. When a proposal or amendment is discussed, a member cannot give another proposal regarding something irrelevant to the discussion taking place unless it is for one of the following:

- 1) to modify a proposal or amendment;
- 2) to proceed to the next item of business;
- 3) to defer the discussion;
- 4) to request for the proposal to go immediately to a vote;
- 5) to transfer the proposal to a committee or working group;
- 6) to exclude the public and press and ask for a procedure of secrecy;
- 7) to have the Council instruct a member to conclude his presentation;
- 8) to request an instruction by the Council for a member to leave a meeting;
- 9) at a point of order.

Any proposal from those above, which was seconded, shall immediately be put to the vote without discussion, without the need for an amendment.

3.2.9. The following proposals can be submitted at a meeting without giving written notice to the A&FM;

- 1) correct an inaccuracy in draft minutes of a meeting;
- 2) move to a vote;
- 3) defer discussion on a proposal;
- 4) refer a proposal to a specific committee or sub-committee;
- 5) appointing a person to chair a meeting;
- 6) changing the order of matters on the agenda;
- 7) move on to the next matter on the agenda;
- 8) request a written report;
- 9) appoint a committee or sub-committee with members;
- 10) increase the time limits for speaking;
- 11) excluding the press and the public from a meeting due to confidential or sensitive information that may be prejudicial to the public interest;
- 12) bring to end a presentation by a member or member of the public;
- 13) exclude a member or a member of the public because of disorderly conduct;
- 14) suspend the meeting temporarily;
- 15) suspend a fixed standing rule (unless it reflects mandatory statutory requirements);
- 16) postpone the meeting; or
- 17) close the meeting.

3.2.10. A member has an opportunity at the end of a discussion to further clarify any element of his proposal (which has received a seconder) which he considers to have been misunderstood.

- 3.2.11. The proposer of an amendment has no right to respond at the end of discussion.
- 3.2.12. The length and breadth of discussions will be determined by the Chairman and will be exercising judgment and care to ensure that there is no repetition, excessiveness or imbalance in members' presentations.
- 3.2.13. A vote in favour of a motion will then be a decision by the Council and no further discussion will be allowed at the same meeting.
- 3.2.14. Decisions that require an action from the A&FM will be apply with immediate action. Decision on policy and opinions are actionable on confirmation at the following full Council meeting that the record of the decision is correct.
- 3.2.15. A decision by the Council can be discussed after a period of six calendar months since the meeting that confirmed the decision. To do that, a further proposal and a written notice by at least 5 members must be given to the A&FM, or through a proposal presented in a committee.
- 3.2.16. When having dealt with a proposal from regulation 3.2.15 a similar proposal cannot be presented within a period of six calendar months since the meeting that confirmed the decision.

3.3. Voting :

- 3.3.1. All members are bound to the Council's decisions.
- 3.3.2. Usually the members will vote by show of hands. The Chairman will request votes for and against.
- 3.3.3. A member may, before the ballot, ask the A&FM for his vote to be recorded.
- 3.3.4. A member may request to register the result of a ballot and the A&FM will then include the names of the members and the manner in which they voted, or withheld their vote, in the minutes of the meeting.
- 3.3.5. A secret ballot will be held if requested at the time of discussion by at least half of the members present at a meeting.
- 3.3.6. The Council's decisions will be based on the majority of the views as confirmed by a vote.
- 3.3.7. At a time when the vote is equal, the Chairman has a second vote to make a decision but only when he has made use of his original vote. The Chairman cannot use the second ballot unless he voted initially on the proposal.
- 3.3.8. The Chairman's statement on the conclusion of a vote, based on the A&FM's account, will be final.

4. **Committees and Working Groups.**

- 4.1. All cases of delegation of right to operate must be agreed by the full Council. Such a right can be transferred to the A&FM, committee and working group. The right to borrow money will never be transferred from the full Council.
- 4.2. In accordance with the financial regulations of the Council, the A&FM has been authorized to process individual expenditure up to a specified maximum in respect of services and supplies as and when required.
- 4.3. In accordance with the financial regulations of the Council, the Chairman is authorized to permit the A&FM to process single expenditure up to a maximum specified in relation to work designated by the Chairman, in consultation with the Vice-Chairman, that is essential and urgent. The Chairman will submit a detailed report to the full council following all such occasions .

4.4. Council Committees :

- 4.4.1. The Council has two established committees ; one is designated to deal with 'Cemeteries and the Council Assets' and the other with a 'Council Finance'. They are subject to the Council's Standing Orders. Each committee will have 8 members including the Chairman and Vice Chairman of the Council. In the absence of the Chairman and Vice Chairman of the committee a member may be elected to chair the meeting .
- 4.4.2. A Chairman and Vice Chairman shall be elected at the first meeting of each committee following the Council's annual meeting. They shall be officiating for a period of twelve months. The Chairman or Vice-chairman of the Council should not be elected.
- 4.4.3. Minutes of all meetings shall be presented to the next full Council meeting following the committee meeting.

4.5. Working Group :

- 4.5.1. A working group will be established for specific actions to recommend guidance or ideas as required, or to discuss specific issues during August. It is subject to the Standing Orders of the Council and members will be appointed by the Council.
- 4.5.2. A Chairman will be elected at the beginning of each meeting .
- 4.5.3. Reports from a working group are presented to the full Council.
- 4.5.4. The period of a working group will be terminated by a Council decision.

5. **Conduct and Complaints .**

5.1. Conduct at a meeting :

- 5.1.1. Every member should behave responsibly, prudently and sincerely during meetings, with a permanent attitude of respect towards the Chairman.
- 5.1.2. A person cannot stop the work of a meeting or behave offensive or inappropriate. Should this standing order be ignored, the Chairman of the meeting will request the person(s) involved to pause or improve their behavior.
- 5.1.3. If a person(s) ignores the request of the Chairman of the meeting to pause or improve their behavior, any member or Chairman of the meeting may propose that the person(s) should not be allowed further hearing or should be excluded from the meeting. A vote will be taken on the motion if it is seconded, with no discussion. If a decision made under a standing order of the above vote is ignored, the Chairman of the meeting can take reasonable steps to restore order or to move the meeting forward. This may include suspending or closing the meeting.
- 5.1.4. A member who is absent from a meeting should send a message of apology either by email, letter or verbally to be announced at the meeting by another member or the A&FM.
- 5.1.5. In accordance with Clause 85 of the Local Government Act 1972 membership comes to an end at the end of six months from the date of the last meeting that a member was present unless the Council has decided to accept that the reason for absence as valid. In the event of long term absence, the reason for the absence is reviewed monthly .

5.2. Complaints :

- 5.2.1. The Council will deal with complaints, not anonymous, from the public or others regarding a member or A&FM in a formal, fast and appropriate manner. Complaints about a member should be sent to the A&FM for attention whilst complaints about the A&FM should be sent to the Chairman for attention. The emergency meeting of the full Council should be convened as soon as possible to discuss any serious, not anonymous, official complaint received. The complaint must be in writing by the complainant. The Chairman of the emergency meeting will decide in advance regarding inviting to the meeting the person in question by the complainant. The Council's decision from the emergency meeting and the reason for it will be presented in writing to the complainant and the person referred to by the complainant as soon as possible after the meeting

5.2.2. The Public Ombudsman for Wales should be notified of all complaints regarding Town and Community Councils that are in breach of the Code of Conduct.

6. **Personal interests .**

6.1. Each member has a duty to act 'appropriately and comply with the code of behavior in accordance with Council Policy which sets guidance to the members on maintaining proper standards of conduct. The code is based on the principles set by the Welsh Assembly Government. Essentially the code requires for members to act "openly and honourably in the public interest.

6.2. A member must declare a personal interest or an interest that is prejudicial as soon as he is aware that he (or someone close to him, such as family or friends) may benefit more than most other people in the community, on the outcome of a case in question by the Council. This applies whether is a full meeting of the Council, a committee or a working group. He/she must exit from the meeting prior to the relevant discussion unless in the opinion of the Chairman that the connection is remote place may invite the member to remain in the meeting but not take part in the discussion nor the vote.

6.3 **Dispensation requests shall be in writing and submitted to Gwynedd Council's Propriety Officer as soon as possible before the meeting for which the dispensation is required.**

7. **Administration and Finance Manager (A&FM).**

7.1. The A&FM will:

- 1) at least three clear days before a meeting of the Council and committee will give members a summons in person, through the mail at their residences, or by email, confirming the time, place and agenda on condition that any such email contains an electronic signature and the A&FM's title;
- 2) give public notice of the time, place and the agenda before a full meeting of the Council or committee meeting (a public notice with an agenda for a special meeting of the Council as convened by members must be signed by them) ;
- 3) includes all business on the agenda to be addressed in the order of them accepted unless a written notice from a member gave at least 7 days prior to the meeting confirming that he / she has withdrawn it.
- 4) convenes a meeting of the full Council for electing a new Chairman for the Council, because the post became vacant;
- 5) make arrangements to enable local government electors to inspect the book of minutes.
- 6) hold forms from members accepting posts;

- 7) **receive and retain copies of byelaws made by other local authorities;**
- 8) keep a register of each member's interests;
- 9) assist in responding to requests made under the Freedom of Information Act 2000 and the current Data Protection legislation, in accordance with and subject to policies and procedures of the Council on the issue at hand;
- 10) send and receive correspondence and general notices on behalf of the Council except where a decision was made contrary to this;
- 11) manages the organization, storage, access and destruction of information held by the Council on paper and electronically;
- 12) arrange for legal acts to be carried out;
- 13) organise or manage authorisations, approvals and immediately directs any payments to be made by the Council in accordance with the Council's financial regulations;
- 14) records all the planning application notified to the Council and the Council's response to the local planning authority in a book dedicated to that purpose;
- 15) arrange a special meeting if the nature of the planning application means that it must be considered before the next full meeting of the Council.

8. Responsible Financial Officer .

8.1. The Administration and Finance Manager (**A&FM**) is the Council's Financial Officer. The Council will appoint an appropriate member to carry out the role of Responsible Financial Officer when the Responsible Financial Officer is absent.

9. Responsibilities to provide information.

9.1 In accordance with freedom of information legislation, the Council shall publish information in accordance with its policy, and respond to requests for information held by the Council.

10. Responsibilities under Data Protection Legislation.

- 1) The Council may appoint a Data Protection Officer.
- 2) The Council shall have a policy and procedures in place to respond to an individual exercising statutory rights concerning his personal data.
- 3) The Council shall have a policy in place for responding to and managing a personal data breach.
- 4) 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.

- 5) 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.
- 6) The Council shall maintain a written record of its processing activities.

11. Management of Information

- 1) 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.
- 2) 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).
- 3) 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.
- 4) Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.

12. Review the Standing Orders and Policies

- 12.1 Upon receipt of a proposal that has been seconded to add to, change or delete a **Standing Order**, the item will be adjourned without discussion to be put on the agenda for consideration at the subsequent full Council meeting.
- 12.2 The Council's Standing Orders and Policies will periodically be reviewed in their entirety.