



MORECAMBE TOWN COUNCIL

STANDING ORDERS

As amended by Council on 16th May 2019 and further amended by Council on 6th June 2019.

MORECAMBE TOWN COUNCIL: STANDING ORDERS


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¹ The Standing Orders detailed below are based on those received from NALC, February 2010

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1. Meetings

Mandatory for full Council meetings 

Mandatory for committee meetings  

Mandatory for 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.

Meetings of Council shall normally be held at Morecambe Town Hall on the 1st Thursday of the month at 7 p.m.

- b) Council members shall receive a summons sent by the Clerk, specifying the business to be transacted three clear days before a Meeting of the Council. A notice of the time and place of the meeting shall at a similar time be affixed and displayed in a conspicuous place in the locality. 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, electors and Business Rates payers of the Parish of Morecambe Town Council are permitted to make representations regarding items on the agenda, although other issues could be raised if written notice of the question/matter are submitted to the Clerk 10 working days prior to the meeting.

- e) The period of time which is designated for public participation in accordance with Standing Order 1(d) above shall not exceed twenty minutes with the provision that the meeting is adjourned to allow public participation to take place.

- f) Subject to Standing Order 1(e) above, each member of the public is entitled to speak once only and shall not speak for more than three minutes.

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- 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 shall not require a response or debate.
- h) In accordance with Standing Order 1(g) above, the Chairman may direct that a response to a question posed by a member of the public be referred to a Councillor for an oral response or to the Town Clerk 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 raise their hand when requesting to speak and stand at the front of the Council Chamber when speaking (except when a person has a disability). The Chairman may at any time permit an individual to be seated when speaking.
- k) Any person speaking at a meeting shall address their comments to the Chairman.
- l) Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chairman shall direct the order of speaking.
- m) A person may not orally report or comment about a meeting as it takes place if he/she is present at the meeting of Morecambe Town Council or its Committees but otherwise may:
- film, photograph or make an audio recording of a meeting
 - use any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later
 - report or comment on the proceedings in writing during or after a meeting or orally report or comment after the meeting

At the beginning of the meeting, the Chairman of the meeting will remind everyone in attendance and those participating in the meeting that they may be filmed, recorded, photographed or otherwise reported about.

Any member of the public in attendance that objects to a-c above, and children and vulnerable adults, must inform the Chairman and an area within the Council Chamber will be designated to them.

Any member of the public or press carrying out a – c above must ensure that their activities do not disrupt the proceedings of the meeting or they may be asked to stop or leave.

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- 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 Chairman may in their absence be done by, to or before the Vice-Chairman (if any).
- p) The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.
- q) Subject to standing order 1 (y) below, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.
- r) The Chairman may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise their casting vote whether or not they gave an original vote. (*See also Standing Orders 2 (i) and (j) 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 moving on to the next item of business on the agenda.
- t) The minutes of a meeting shall record the names of councillors present and absent.
- u) If prior to a meeting, a Councillor has submitted reasons for their absence at the meeting which is then approved by a resolution, such resolution shall be recorded in the minutes of the meeting at which the approval was given. If a Councillor is absent for 3 consecutive Full Council Meetings without submitting a reason for their absence, the Proper Officer shall formally remind that Councillor of the above Standing Order.
- v) The code of conduct adopted by the Council shall apply to councillors in respect of the entire meeting. A copy of the Code of Conduct is given in Annex 1 to these Standing Orders.

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- w) An interest arising from the code of conduct adopted by the Council, the existence and nature of which is required to be disclosed by a Councillor at a meeting shall be recorded in the minutes. (*See also Standing Orders 7 and 8 below.*)
- 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:
 - In the case of a Council Meeting – not less than 9 members
 - In the case of a Committee Meeting – not less than 3 members.
- y) 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.
- z) Committee Meetings shall not exceed a period of 2 hours, unless the Committee agrees to suspend Standing Orders.

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 the 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 7pm.**
- d **In addition to the Annual Meeting of the Council, the Council to meet on the first Thursday of each month with all meetings commencing at 7 p.m.**
- e **The election of the Chairman and Vice-Chairman of the Council shall be the first business completed at the Annual Meeting of the Council.**
- f **The Chairman of the Council, unless they have resigned or becomes disqualified, shall continue in office and preside at the Annual Meeting until their successor is elected at the next Annual Meeting of the Council.**
- g **The Vice-Chairman of the Council, if any, unless they resign or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next Annual Meeting of the Council.**

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- h** In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, they shall preside at the meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but must give a casting vote in the case of an equality of votes.

- i** In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, they shall preside at the meeting until a new Chairman of the Council has been elected. They may exercise an original vote in respect of the election of the new Chairman of the Council and must give a casting vote in the case of an equality of votes.

- j** Following the election of the Chairman of the Council and Vice-Chairman (if any) of the Council 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. Review of delegation arrangements to committees, sub-committees, employees and other local authorities.
 - iv. Review of the terms of references for committees.
 - v. Receipt of nominations to existing committees.
 - vi. 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.
 - vii. Review and adoption of appropriate Standing Orders and financial regulations.
 - viii. Review of arrangements, including any charters, with other local authorities and review of contributions made to expenditure incurred by other local authorities.
 - ix. Review of representation on or work with external bodies and arrangements for reporting back.
 - x. In a year of elections, if a Council's period of eligibility to exercise the power of well being expired the day before the Annual Meeting, to review and make arrangements to reaffirm eligibility.
 - xi. Review of inventory of land and assets including buildings and office equipment.
 - xii. Confirmation of arrangements for insurance cover in respect of all insured risks.

 - xiii. Review of the Council's and/or employees' memberships of other bodies.
 - xiv. Establishing or reviewing the Council's complaints procedure.
 - xv. Establishing or reviewing the Council's procedures for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998.
 - xvi. Establishing or reviewing the Council's policy for dealing with the press/media

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- xvii. Setting the dates, times and place of ordinary meetings of the full Council for the year ahead.
- xviii. The Council's Risk Management Policies to be reviewed annually in March.

3. Proper Officer

- a The Council's Proper Officer shall be the Town Clerk.
- b The Council's Proper Officer shall do the following.
 - i. **Sign and serve on councillors by delivery or post at their residences a summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee and sub-committee at least 3 clear days before the meeting.**
OR
The Council having resolved that service of summons on councillors confirming the time, date, venue and the agenda for a meeting by delivery or post at their residences at least 3 clear days before a meeting is not expedient, electronically serve on councillors a summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee and a sub-committee or working group at least 3 clear days before the meeting provided any such email contains the electronic signature and title of the Proper Officer.
 - 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 - see Standing Order 17 below).**
 - iii. Subject to Standing Orders 4(a)–(e) below, include in the agenda all motions in the order received unless a councillor has given written notice at least seven days before the meeting confirming their withdrawal of it.
 - iv. **Convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in this 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 by-laws 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

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Protection Act 1998, in accordance with and subject to the Council's procedures relating to the same.

- xi. Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
- xii. Manage the organisation, storage of and access to information held by the Council in paper and electronic form.
- xiii. Arrange for legal deeds to be signed by 2 councillors and witnessed (*See also 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 in a book for such purpose;
- xvi. Refer a planning application received by the Council to Chairman or in **their** absence Vice-Chairman (if any) of the Council within 2 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.
- xvii. Retain custody of the seal of the Council (if any) 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 and seconder has given written notice of its wording to the Council's Proper Officer at least ten 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 Proper Officer considers the wording of a motion received in accordance with Standing Order 4(a) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer in clear and certain language at least seven clear days before the meeting.
- d If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Chairman of the forthcoming meeting or, as the case may be, the Councillors who have convened the meeting, to consider whether the motion shall be included or rejected in the agenda.

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- e Having consulted the Chairman or councillors pursuant to Standing Order 4(d) above, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.
- f Notice of every motion received in accordance with the Council's Standing Orders shall be numbered in the order received and shall be entered in a book, which shall be open to inspection by all councillors.
- g Every motion rejected in accordance with the Council's Standing Orders shall be duly recorded with a note by the Proper Officer giving reasons for its rejection in a book for that purpose, which shall be open to inspection by all councillors.
- h Every motion and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area or its residents.

5. Motions not requiring written notice

- a Motions in respect of the following matters may be moved without written notice.
 - i. To appoint a person to preside at a meeting.
 - ii. To approve the absences of councillors.
 - iii. To approve the accuracy of the minutes of the previous meeting.
 - iv. To correct an inaccuracy in the minutes of the previous meeting.
 - v. To dispose of business, if any, remaining from the last meeting.
 - vi. To alter the order of business on the agenda for reasons of urgency or expedience.
 - vii. To proceed to the next business on the agenda.
 - viii. To close or adjourn debate.
 - ix. To refer by formal delegation a matter to a committee or to a sub-committee or an employee.
 - x. To appoint a committee or sub-committee or any councillors (including substitutes) thereto.
 - xi. To receive nominations to a committee or sub-committee.
 - xii. To dissolve a committee or sub-committee.
 - xiii. To note the minutes of a meeting of a committee or sub-committee.
 - xiv. To consider a report and/or recommendations made by a committee or a sub-committee or an employee.
 - xv. To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
 - xvi. To authorise legal deeds to be sealed by the Council's common seal OR signed by two councillors and witnessed.

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(See standing orders 14(a) and (b) below.)

- xvii. To authorise the payment of monies as detailed in the Council's Financial Regulations.
 - xviii. To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
 - xix. To extend the time limit for speeches.
 - xx. To exclude the press and public for all or part of a meeting.
 - xxi. To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.
 - xxii. To give the consent of the Council if such consent is required by standing orders.
 - xxiii. To suspend any Standing Order except those which are mandatory by law.**
 - xxiv. To adjourn the meeting.
 - xxv. To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
 - xxvi. To answer questions from councillors.
- b If a motion falls within the terms of reference of a committee or sub-committee or within the delegated powers conferred on an employee, a referral of the same may be made to such committee or sub-committee or employee provided that the Chairman may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

6. Rules of debate

- a Motions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Chairman's direction for reasons of expedience.
- b Subject to Standing Orders 4(a)–(e) above, a motion shall not be considered unless it has been proposed and seconded.
- c 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 Chairman, be reduced to writing and handed to the Chairman 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:

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- 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 Chairman. 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 Chairman 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 Chairman.

- 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 three 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 they consider has been breached or specify the irregularity in the meeting they is concerned by.

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- q A point of order shall be decided by the Chairman and their 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 Chairman shall first be satisfied that the motion has been sufficiently debated before it is seconded and put to the vote. The Chairman shall call upon the mover of the motion under debate to exercise or waive their 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.

- u. Councillors be permitted to speak for no more than 5 minutes when making a proposal, and for no more than 3 minutes when making a speech during debate.

7. Code of Conduct

See also Standing Orders 1(d)–(i) above

A revised statutory code of conduct is expected to come into force in 2010

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

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

- c **If paragraph 12(2) of the code of conduct contained in the Local Authorities (Model Code of Conduct) Order 2007 (SI No.1159) has been adopted by the Council or pursuant to relevant provisions in a statutory code of conduct in force at the time, councillors may exercise the rights contained in Standing Order 7(d) below only if members of the public are permitted to (i) make representations, (ii) answer**

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questions and (iii) give evidence relating to the business being transacted.

- d **Councillors with a prejudicial interest in relation to any item of business being transacted at a meeting may (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted but must, thereafter, leave the room or chamber.**

8. Questions

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

9. Minutes

- a If a copy of the draft minutes of a preceding meeting has been circulated to councillors no later than the day of service of the summons to attend the scheduled meeting they shall be taken as read.
- b No discussion of the draft minutes of a preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the minutes shall be raised in accordance with Standing Order 5(a)(iv) above.
- c Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the Chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d If the Chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, they 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 Morecambe Town Council (OR [name] Committee/Sub-Committee) held on [date] in respect of () were a correct record but this view was not upheld by the majority of the (Council / or [name] Committee/Sub-Committee) and the minutes are confirmed as an accurate record of the proceedings.”

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- e Upon a resolution which confirms the accuracy of the minutes of a meeting, any previous draft minutes or recordings of the meeting shall be destroyed.

10. Disorderly conduct

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

13. Expenditure

- a Any expenditure incurred by the Council shall be in accordance with the Council's financial regulations.

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- b The Council's financial regulations shall be reviewed once a year.

- c The Council's financial regulations may make provision for the authorisation of the payment of money in exercise of any of the Council's functions to be delegated to a committee, sub-committee or to an employee.

14. Execution and sealing of legal deeds

See also Standing Order 5(a)(xvi) above

- a A legal 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 Proper Officer in the presence of two members of the Council who shall sign the deed as witnesses.**

15. Committees

See also Standing Order 1 above

- a The Council may, at it's Annual Meeting, appoint standing committees and may at any other time appoint such other committees as may be necessary, and:
 - i. shall determine their terms of reference;
 - ii. may permit committees to determine the dates of their meetings;
 - iii. shall agree the proportional representation calculation for the appointment of Committees basis based on each Group having a proportional share of the total number of Committee seats available (unless the appointment of non-councillors is prohibited by law) so as to hold office no later than the next annual meeting;
 - iv. two named substitute councillors to be appointed to each Committee or Sub-Committee who may attend a Committee or Sub-Committee to replace an appointed councillor at a meeting of a Committee or Sub-Committee;
 - v. an ordinary member of a committee who has been replaced at a meeting by a substitute member (in accordance with Standing Order 15(a)(iv) above) shall not be permitted to participate in debate or vote on business at that meeting and may only speak during any public participation session during the meeting;
 - vi. may in accordance with Standing Orders, dissolve a committee at any time.
 - vii. All Committees to appoint their Chairman and Vice chairman on an Annual basis at its first meeting after the Annual Meeting of Council;
 - viii. All Committees and Working Groups formed by the Council during between Annual Meetings, to appoint a Chairman and Vice Chairman at its first meeting.

- b Each Committee to have seven members appointed on proportional representation basis with the Chairman being elected by the Committee at its first meeting after each year's

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Annual Council Meeting.

- c. Committee members to be appointed by the Groups in accordance with the Proportional Representation calculation agreed by Council.

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 on a proportional representation basis.

17. Extraordinary meetings

See also Standing Order 1 above

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

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19. Accounts and Financial Statement

- a All payments by the Council shall be authorised, approved and paid in accordance with the Council's financial regulations, which shall be reviewed at least annually.
- b The Responsible Financial Officer shall supply to each Councillor at each meeting of the Finance and Management Committee with a statement summarising the Council's income and expenditure for each quarter and the balances held at the end of a quarter. This statement should include a comparison with the budget for the financial year. A Financial Statement prepared on the appropriate accounting basis (income and expenditure) for a year to 31 March shall be presented to each Councillor before the end of the following month of May. The Statement of Accounts of the Council (which is subject to external audit), including the annual governance statement, shall be presented to Council for formal approval before 30 June.

20. Estimates/precepts

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

21. 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.

MORECAMBE TOWN COUNCIL: STANDING ORDERS

22. Inspection of documents

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

23. Unauthorised activities

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

24. Confidential business

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

25. Power of well-being

- a **Before exercising the power to promote well-being, 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 25 (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.**
- c **After the expiry of its preceding period of eligibility, the Council continues to be an eligible council solely for the purpose of completing any activity undertaken in the exercise of the power to promote well-being which was not completed before the expiry of the Council's preceding period of eligibility referred to in Standing Order 25(b) above.**

26. Matters affecting Council employees

- a If a meeting considers any matter personal to a Council employee, it shall not be considered

MORECAMBE TOWN COUNCIL: STANDING ORDERS

until the Council OR the Council Chairman, OR the appropriate committee, or sub-committee Chairman, has decided whether or not the press and public shall be excluded pursuant to Standing Order 1(c) above.

- b Subject to the Council's policy regarding absences from work, the Council's most senior employee shall notify the Chairman of Council or, in their absence, the Vice-Chairman of the Council of any absence occasioned by illness or urgency and that person shall report such absence to Council at its next meeting.
- c The Chairman of the Personnel Committee or in their absence, the Vice-Chairman shall upon a resolution conduct a review of the performance and/or appraisal of the Town Clerk and shall keep a written record of it. The review and/or appraisal shall be reported back and shall be subject to approval by resolution by the Personnel Committee.
- d Subject to the Council's policy regarding the handling of grievance matters, the Council's most senior employee (or other employees) shall contact the Chairman of the Council or in their absence, the Vice-Chairman of the Council in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Personnel Committee.
- e Subject to the Council's policy regarding the handling of grievance and disciplinary matters, if an informal or formal grievance matter raised by the Town Clerk relates to the Chairman or Vice-Chairman of the Council OR Personnel Committee, this shall be communicated to another member of the Personnel Committee, which shall be reported back and progressed by resolution of the Personnel Committee.
- f 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.
- g 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.
- h 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.
- i Only persons with line management responsibilities (i.e. Council Chairman and Vice-Chairman and the Personnel Committee) shall have access to employee records referred to in Standing Orders 26(g) and (h) above if so justified.

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- j Access and means of access by keys and/or computer passwords to records of employment referred to in Standing Orders 26(g) and (h) above shall be provided only to the Town Clerk and the Chairman, and Vice Chairman of the Council.

27. Freedom of Information Act 2000

- a All requests for information held by the Council shall be processed in accordance with the Council's policy in respect of handling requests under the Freedom of Information Act 2000.
- b Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the chairman of the Finance and Management Committee. The said committee shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000 including exercising the powers of the Proper Officer in respect of Freedom of Information requests set out under Standing Order 3(b)(x) above.
- c The Council shall implement and review annually a Policy for handling data in accordance with the General Data Protection Regulations.

28. Relations with the press/media

- a All press releases pertaining to the business of the Council shall be formulated by the Proper Officer and approved for release by the Chairman of the Council; the release will be conducted by the Proper Officer or duly authorised member of staff. No other member is to discuss the business of the Council with the press unless speaking as a private individual and making this clear to the recipient.
- b All press articles, pertaining to matters raised by Councillors within working parties or Committees, to promote work within the Council or to indicate matters of concern, may be issued, providing the recipient is advised that the comment/s are being made by an individual Councillor/s and not as the Town Council.

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29. Liaison with District and County or Unitary Councillors

An invitation to attend a meeting of the Council shall be sent electronically, together with the agenda, to the councillor of the District and County representing the Town Council's electoral 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 £5,000.

- b **Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £5,000 shall be procured on the basis of a formal tender as summarised in Standing Order 30(c) below.**

- 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;
 - 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 Proper Officer by a stated date and time;
 - iv. tenders submitted are to be opened, after the stated closing date and time, by the Proper Officer 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.

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

31. Allegations of breaches of the code of conduct

- a. On receipt of a complaint concerning an alleged breach of the Code of Conduct the Proper Officer shall refer it to the Monitoring Officer at Lancaster City Council for consideration and report this to the Town Council.
- b. Upon notification by Lancaster City Council that it is dealing with a complaint that a Councillor or non Councillor with voting rights has breached the Town Council's Code of Conduct, the Proper Officer shall report this to the Town Council.
- c. The Council may:
 - i. provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
 - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- d. Upon notification by Lancaster City Council that a Councillor or non-Councillor with voting rights has breached the council's Code of Conduct, the Council shall consider what, if any, action to take against that Councillor. Such action excludes disqualification or suspension from office.

32. Variation, revocation and suspension of standing orders

- a Any or every part of the Standing Orders, except those which are mandatory by law, may be suspended by resolution in relation to any specific item of business.
- b A motion to permanently add to or to vary or to revoke one or more of the Council's Standing Orders 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 Proper Officer shall provide a copy of the Council's Standing Orders to a councillor upon delivery of their declaration of acceptance of office.

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- b The Chairman's decision as to the application of Standing Orders at meetings shall be final.

- c A councillor's failure to observe Standing Orders more than 3 times in one meeting may result in them being excluded from the meeting in accordance with Standing Orders.

MORECAMBE TOWN COUNCIL: STANDING ORDERS

ANNEX 1: Code of Conduct



MORECAMBE TOWN COUNCIL

CODE OF CONDUCT

(Approved by Council on 19th July, 2012 – Minute No. 27)

PREAMBLE TO THE CODE OF CONDUCT

This Preamble provides an explanatory introduction to the Members' Code of Conduct. It does not form part of the Code of Conduct, and in the event of any conflict between the Preamble and the Code, the Code shall take precedence.

Introduction

The Town Council has adopted the following code on 19th July, 2012 dealing with the conduct that is expected of members and co-opted members of the Town Council when they are acting in that capacity, as required by section 27 of the Localism Act 2011 ("the Act").

The Town Council has a statutory duty under the Act to promote and maintain high standards of conduct by Members, and the Code sets out the standards that the Council expects Members to observe.

The Code is not intended to be an exhaustive list of all the obligations that are placed on Members. It is the responsibility of individual Members to comply with the provisions of the Code and the Protocols contained in the Council's Constitution, as well as such other legal obligations as may apply to them from time to time. Failure to do so may result in a sanction being applied by the Council. Failure to take appropriate action in respect of a Disclosable Pecuniary Interest may result in a criminal conviction and a fine of up to £5,000 and/or disqualification from office for a period of up to 5 years.

Members have a responsibility to ensure that they comply with the Code of Conduct in all respects. They should regularly review their personal circumstances and intended actions in the context of the Code.

If in doubt, Members should seek advice from the Town Clerk, but the final decision and responsibility on how to act rests with Members themselves.

Members should not do anything in their capacity as councillors, which they could not justify to the public or could not justify by law. Members' conduct and what the public believe about their conduct will affect the reputation and credibility of Members and the Council as a whole.

It is not enough to avoid impropriety; perception is also important. Members should at all times avoid any occasion for suspicion and any appearance of improper conduct.

MORECAMBE TOWN COUNCIL: STANDING ORDERS

SEVEN GENERAL PRINCIPLES OF CONDUCT

The Code is intended to be consistent with the following seven principles, as required by the Act.

Selflessness

Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards or benefits, holders of public office should make choices on merit.

Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness

Holders of public office should be as open as possible about the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands

Honesty

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest

Leadership

Holders of public office should promote and support these principles by leadership and by example, and should act in a way that secures or preserves public confidence.

MORECAMBE TOWN COUNCIL: STANDING ORDERS

Part A General provisions

Introduction and interpretation

- (1) This Code applies to **you** as a member of the Council
- (2) It is your responsibility to comply with the provisions of this Code.
- (3) In this Code—

"meeting" means any meeting of—

- (a) the Town Council;
- (b) any of the Town Council's Committees OR Sub-Committees;

"member" includes a co-opted member and an appointed member.

Scope

2. —(1) Subject to sub-paragraph (2) you must comply with this Code whenever you—

(a) conduct the business of the Town Council (which, in this Code, includes the business of the office to which you are elected or appointed); or

(b) act, claim to act or give the impression you are acting as a representative of the Town Council,

and references to your official capacity are construed accordingly.

(2) This Code does not have effect in relation to your conduct other than where it is in your official capacity.

General obligations

3. —(1) You must treat others with respect.

(2) You must not—

(a) do anything which may cause the Town Council to breach the Equality Act 2010 (or subsequent legislation)

(b) bully any person;

(c) intimidate or attempt to intimidate any person who is or is likely to be—

(i) a complainant,

(ii) a witness, or

(iii) involved in the administration of any investigation or proceedings,

in relation to an allegation that a member (including yourself) has failed to comply with his or her Town Council's Code of Conduct; or

(d) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, the Town Council.

4. You must not—

MORECAMBE TOWN COUNCIL: STANDING ORDERS

(a) disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where—

(i) you have the consent of a person authorised to give it;

(ii) you are required by law to do so;

(iii) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or

(iv) the disclosure is—

(aa) reasonable and in the public interest; and

(bb) made in good faith and in compliance with the reasonable requirements of the Town Council; or

(b) prevent another person from gaining access to information to which that person is entitled by law.

5. You must not conduct yourself in a manner which could reasonably be regarded as bringing the Town Council or the office of councillor into disrepute.

6. You must:

(a) champion the needs of residents- the whole community and in a special way your constituents, including those who did not vote for you - and put their interests first, and

(b) deal with representations or inquiries from residents and visitors, fairly, appropriately and impartially

7. You—

(a) must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage; and

(b) must, when using or authorising the use by others of the resources of the Council

(i) act in accordance with the Town Council's reasonable requirements;

(ii) ensure that such resources are not used improperly for political purposes (including party political purposes); and

(c) must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986.

8. —(1) When reaching decisions on any matter you must have regard to any relevant advice provided to you by the Council's Town Clerk and Responsible Finance Officer, where that officer is acting pursuant to his or her statutory duties.

MORECAMBE TOWN COUNCIL: STANDING ORDERS

(2) You must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by the Town Council.

MORECAMBE TOWN COUNCIL: STANDING ORDERS

Part B Interests

Section 1

Disclosable Pecuniary Interests

This part explains the statutory requirements of the Localism Act 2011 (Sections 29-34) in relation to disclosable pecuniary interests. These are enforced by criminal sanction.

1. Notification of disclosable pecuniary interests

Within 28 days of becoming a member or co-opted member, you must notify the Town Clerk of any 'disclosable pecuniary interests'.

A 'disclosable pecuniary interest' is an interest of yourself or your partner (which means spouse or civil partner, a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners) of the following descriptions:

- (a) **Details of any employment, office, trade, profession or vocation carried on for profit or gain**
- (b) **Details of any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses. (This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.**
- (c) **Details of any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority under which goods or services are to be provided or works are to be executed; and which has not been fully discharged.**
- (d) **Details of any beneficial interest in land which is within the area of the relevant authority.**
- (e) **Details of any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.**
- (f) **Details of any tenancy where (to your knowledge) the landlord is the relevant authority; and the tenant is a body in which the relevant person has a beneficial interest.**
- (g) **Details of any beneficial interest in securities of a body where that body (to your knowledge) has a place of business or land in the area of the relevant authority; and either the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or if that share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.**

For the purposes of the foregoing "relevant authority" means the Town Council; "relevant period" means the period of 12 months ending with the day on which you notify the Town Clerk of your disclosable pecuniary interest, and "relevant person" means you or your spouse or partner as defined above.

MORECAMBE TOWN COUNCIL: STANDING ORDERS

2. Register of interests

Any interests notified to the Town Clerk will be included in the Register of Interests.

A copy of the register will be available for public inspection and will be published on the Council's website.

3. Sensitive interests

Where you consider that disclosure of the details of a disclosable pecuniary interest could lead to you, or a person connected with you, being subject to violence or intimidation, and the Town Clerk agrees, if the interest is entered on the register, copies of the register that are made available for inspection and any published version of the register will exclude details of the interest, but may state that you have a disclosable pecuniary interest, the details of which are withheld under Section 32(2) of the Localism Act 2011.

4, Non participation in case of disclosable pecuniary interest

a) If you are present at a meeting of the Town Council or any of its committee or sub-committees, and you have a disclosable pecuniary interest in any matter to be considered or being considered at the meeting:

- You may not participate in any discussion of the matter at the meeting.
- You may not participate in any vote taken on the matter at the meeting.
- If the interest is not registered, you must disclose the interest to the meeting.
- If the interest is not registered and is not the subject of a pending notification, you must notify the Town Clerk of the interest within 28 days.

In addition, the Council Procedure Rules require you to leave the room where the meeting is held while any discussion or voting takes place.

b) Where an executive member may discharge a function alone and becomes aware of a disclosable pecuniary interest in a matter being dealt with or to be dealt with by her/him, the executive member must notify the Town Clerk of the interest and must not take any steps or further steps in the matter.

5. Dispensations

The Standards Committee may grant you a dispensation, but only in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

6. Offences

It is a criminal offence to

- Fail to notify the Town Clerk within 28 days of election of any disclosable pecuniary interest
- Fail to disclose a disclosable pecuniary interest at a meeting if it is not on the register
- Fail to notify the Town Clerk within 28 days of a disclosable pecuniary interest that is not on the register that you have disclosed to a meeting
- Participate in any discussion or vote on a matter in which you have a disclosable pecuniary interest
- As an executive member discharging a function acting alone, and having a disclosable pecuniary interest in such a matter, fail to notify the Town Clerk within 28 days of the interest.

MORECAMBE TOWN COUNCIL: STANDING ORDERS

- Knowingly or recklessly provide information that is false or misleading in notifying the Town Clerk of a disclosable pecuniary interest or in disclosing such interest to a meeting

The criminal penalties available to a court are to impose a fine not exceeding level 5 on the standard scale and disqualification from being a councillor for up to 5 years.

7. Notification of changes

Whilst not a requirement of the statute, the Council under this Code of Conduct requires you to notify the Town Clerk within 28 days of any new disclosable pecuniary interest, or any change to a disclosable pecuniary interest already notified/registered.

MORECAMBE TOWN COUNCIL: STANDING ORDERS

Section 2

Other Interests

8. Notification of Other Interests

(1) In addition to the foregoing, you must, within 28 days of this Code being adopted by or applied to your authority; or your election or appointment to office (where that is later), notify the Town Clerk in writing of the details of your interests within the following categories, for inclusion in the register of interests:

(a) Details of any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;

(b) Details of any body exercising functions of a public nature, any body directed to charitable purposes or any body one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union), of which you are a member or in a position of general control or management;

(c) Details of any gift or hospitality with an estimated value of at least £50 that you have received in connection with your role as a member of the Council, and details of the donor.

(2) You must, within 28 days of becoming aware of any new interest or change to any interest registered under this paragraph notify the Town Clerk of the details of that new interest or change.

9. Disclosure of Other Interests

(1) Subject to sub-paragraphs (2) to (6), where you have an interest described in paragraph 8(1) above or in paragraph (2) below in any business of your authority, and where you are aware or ought reasonably to be aware of the existence of that interest, and you attend a meeting of your authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

(2) You have an interest in any business of your authority where a decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a member of your family or any person with whom you have a close association, to a greater extent than the majority of other council tax payers.

(3) Where you have an interest in any business of the authority of the type mentioned in paragraph 8(1)(c), (gifts and hospitality) you need not disclose the nature or existence of that interest to the meeting if the interest was registered more than three years before the date of the meeting.

(4) Where you have an interest by virtue of paragraph 8(1) but, by virtue of paragraph 11, sensitive information relating to it is not registered in the register of members' interests, you must indicate to the meeting that you have an interest, but need not disclose the sensitive information to the meeting.

(5) Where you have an interest in any business of your authority by virtue of paragraph 8(1) or 9(2), and you have made an executive decision in relation to that business, you must ensure that any written statement of that decision records the existence and nature of that interest.

10. Register of interests

(1) Any interests notified to the Town Clerk under paragraph 8 above will be included in the register of interests.

MORECAMBE TOWN COUNCIL: STANDING ORDERS

(2) A copy of the register will be available for public inspection and will be published on the Town Council's website.

(3) Where a disclosable pecuniary interest is notified to the Town Clerk it need not be separately notified or separately registered as an interest under this section of the Code.

11. Sensitive interests

Where you consider that disclosure of the details of an interest could lead to you, or a person connected with you, being subject to violence or intimidation, and the Town Clerk agrees, if the interest is entered on the register, copies of the register that are made available for inspection and any published version of the register will exclude details of the interest, but may state that you have an interest, the details of which are withheld.

12. Non participation in case of certain other interests

(1) Subject to paragraphs (2) and (3) below, where you have an interest in any business of your authority by virtue of paragraph 8(1) or 9(2) **AND** the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgment of the public interest **AND** where that business—

(a) affects your financial position or the financial position of a person or body through whom the interest arises; or

(b) relates to the determining of any approval, consent, licence, permission or registration in relation to you or any person through whom the interest arises,

you may not participate in any discussion of the matter at the meeting, and you may not participate in any vote taken on the matter at the meeting.

In addition, the Council Procedure Rules require you to leave the room where the meeting is held while any discussion or voting takes place.

(2) Where you have an interest in any business of your authority to which paragraph 12(1) applies, you may attend a meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise, and provided that you leave the room where the meeting is held immediately after making representations, answering questions or giving evidence.

(3) Subject to you disclosing the interest at the meeting, you may attend a meeting and vote on a matter where you have an interest under paragraph 12(1) that relates to the functions of your authority in respect of—

(i) housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;

(ii) an allowance, payment or indemnity given to members;

(iii) any ceremonial honour given to members; and

(iv) setting council tax or a precept under the Local Government Finance Act 1992.

(4) Where, as an executive member, you may discharge a function alone, and you become aware of an interest under paragraph 12(1) in a matter being dealt with, or to be dealt with by you, you must notify the Town Clerk of the interest and must not take any steps or further steps in the matter, or seek improperly to influence a decision about the matter.