



CYNGOR CYMUNED RHOSLLANNERCHRUGOG COMMUNITY COUNCIL

STANDING ORDERS

LGA 1972 Sch 12, para 42

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MEETINGS OF THE COUNCIL

1. Monthly meetings of the Council shall be held on the first Thursday of each month, excepting the month of August, unless the Council otherwise decides at a previous meeting
2. Meetings of the Council shall be held at the Council Chamber commencing at 6.30p.m. with Planning or at the conclusion of any pre-arranged Special meeting. Followed by Full Council no later than 7.00p.m. start and shall close at or before 9.00 p.m., unless the Council otherwise decides at a previous meeting or wishes to suspend Standing Orders to conclude this meetings discussion.
Special meetings to be arranged on a separate night if required, 2nd Thursday of the month. The notice is to be sent to Members 7 days prior to the meeting, with all relevant paperwork attached including minutes of the previous meeting to be received 3 clear working days prior to the meeting. Members wishing to add to the notice should provide the Clerk with the relevant detail by close of business, Monday week prior to the meeting.
3. The Statutory Annual Meeting
 - (a) In the year of an election to the Council, shall be held on the second Thursday in the month that the elections are held and to be the 1st meeting of the evening commencing at 6.00p.m.
 - (b) In the year, which is not an election year, shall be held on the first Thursday on the month of May commencing at 6.00p.m.

CHAIRPERSON OF THE MEETING

4. (a)The person presiding at a meeting may exercise all the powers and duties of the Chairperson in relation to the conduct of the meeting.
(b) It is at the Chairpersons discretion to decide if tweeting is allowed in meeting with the full exception of discussion taken in part 2.

PROPER OFFICER

5. Where a statute, regulation or order confers duties on the proper officer of the Council, in the following cases he/she shall be the Clerk:
 - (a) To receive declarations of acceptance of office.
 - (b) To receive and record declarations of interest & gifts and hospitalities, to be kept in a register, as required by the Councils Code of Conduct.
 - (c) To receive and retain plans and documents
 - (d) To sign notices and other documents on behalf of the Council
 - (e) To receive copies of bylaws made by the County Borough Council
 - (f) To receive copies of bylaws made by the Council
 - (g) To sign notices to attend meetings of the Council

In any other case the proper officer shall be the person nominated by the Council and in default of nomination, the Clerk.

QUORUM

6. One 3rd of the membership of the Council shall constitute a quorum or in the case of a declaration of interest, one 3rd of the eligible Members.
7. If a quorum is not present when the Council meets, or if during a meeting the number of Councillors present falls below the quorum, the business not transacted at the meeting shall be moved to the next meeting or on such other day as outlined in paragraph 1. If the number of Members present falls below the quorum by

virtue of declarations of interest then the quorum will revert to one 3rd of the eligible members.

VOTING

8. Members shall vote by show of hands or if 4 Members of the Council so request, by a secret ballot.
9. If at least 4 members shall so request, then a recorded vote may be shown, the request to be made before the vote is taken.
10. An individual Member may request that his/her vote on any particular item be recorded in the minutes.
11. The Chairperson may give an original vote and, in the case of an equality of votes would use his/her casting vote to confirm his/her original vote. The Chairperson would also be asked for a casting vote even if an original vote was not made.

ORDER OF BUSINESS

In an election year, following a by-election, Councillors should execute Declarations of Acceptance of Office, in each other's presence, or in the presence of a proper officer of the Council previously authorised by the Council to take such declarations before the Annual Meeting.

12. At each Annual Meeting the first business shall be:
 - (a) To elect a Chairperson
 - (b) To receive the Chairperson's declaration of acceptance of office, or if not received, to decide when it shall be received
 - (c) To elect a Vice-Chairperson
 - (d) To appoint school Governors to fill any vacancy
 - (e) To appoint statutory or standing committees
 - (f) To change the Standing Orders as required
13. At every other meeting other than the Annual Meeting, the first business shall be to appoint a Chairperson, if the Chairperson & Vice-Chairperson are absent and following any by-elections, to receive such declarations of acceptance of office, if any, as are required by law to be made, or if not then received, to decide when they shall be received.
14. After the first business has been completed, the order of business, unless the Council decide otherwise on the grounds of urgency, shall be as follows:
 - (a) To receive apologies for absence/declarations of interest
 - (b) Chairpersons / Clerk's Report
 - (c) To read and consider the minutes of the previous meeting. Providing that a copy has been circulated to each Member no later than the day of the notice to attend the meeting, then the minutes may be taken as read
 - (d) To obtain the signature on the Minutes by the presiding Chairperson as a correct record. Following confirmation of the notes at the Full Council meeting, the contemporaneous notes taken by the Clerk in relation should be destroyed.
 - (e) To deal with business expressly required by statute to be done at the meeting
 - (f) To receive and consider correspondence and/or communications received, Chair & Clerk to look at prior to the notice of meeting being sent to list possible discussion items separately.

- (g) To receive and consider reports and minutes of Committees and Advisory Bodies
 - (h) To dispose of business, if any, remaining from the last meeting
 - (i) To consider motions or recommendations in the order in which they have been notified
 - (j) Any other business specified in the notice, including reports from Members and any other business specially brought forward by direction of the Chairperson
15. A motion to vary the order of business on the grounds of urgency:
- (a) may be proposed by the Chairperson or by any Member and if proposed by the Chairperson may be put to the vote and seconded and
 - (b) shall be put to the vote for discussion

RESOLUTIONS MOVED ON NOTICE

16. Except as provided by these Standing Orders, no resolution may be moved unless the mover has given notice in writing of its terms and has delivered the Notice to the Clerk at least 10 clear days before the next meeting of the Council
17. The Clerk shall date every notice and motion or recommendation when received, shall enter each notice in the order in which it was received and shall record the information for inspection by any Member of the Council
18. The Clerk shall insert in the notice for every meeting all detail of motion or recommendation properly given in the order in which it was received unless the Member giving the detail of motion has stated in writing that he/she intends to move at some later meeting or that he/she withdraws it
19. If a resolution or recommendation specified in the summons be not moved, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice
20. If the subject matter of the resolution comes within the province of a committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to such committee or such other committee as the Council may determine for report. If the Chairperson considers it to be a matter of urgency, he/she may allow it to be dealt with at the meeting at which it was moved and seconded
21. Every resolution or recommendation shall be relevant to some question over which the Council has power or which affects its area

RESOLUTIONS MOVED WITHOUT NOTICE

22. Resolutions dealing with the following matters may be moved without notice:
- (a) To appoint a Chairperson of a meeting
 - (b) To correct the minutes
 - (c) To approve the minutes
 - (d) To alter the order of business
 - (e) To proceed to the next business
 - (f) To close or adjourn the debate
 - (g) To refer a matter to a committee
 - (h) To appoint a committee or any members thereof
 - (i) To adopt a report
 - (j) To authorise the sealing of documents

- (k) To amend a motion
- (l) To give leave to withdraw a motion or an amendment
- (m) To suspend Standing Orders
- (n) To extend the time limit for speeches
- (o) To consider otherwise that in a committee a question affecting an employee of the Council.
- (p) To exclude the press
- (q) To exclude the public
- (r) To silence or reject from the meeting a member named for misconduct.
(The next resolution is governed by the standing order on members interested in contract or other matters)
- (s) To invite a member having an interest in the subject matter under debate to remain.
- (t) To give consent of the Council where the standing requires such consent orders.

RULES OF DEBATE

- 23. No discussion shall take place upon the Minutes except upon their accuracy. Corrections to the minutes shall be made by resolution and initialed by the Chairperson.
- 24.
 - (a) A resolution or amendment shall not be discussed until it has been proposed and seconded
 - (b) A Member when seconding a resolution or amendment may, if he/she then declares his/her intention to do so, reserve his/her speech until a later period of the debate.
 - (c) A Member shall direct his/her remarks to the question under discussion or to a personal explanation or to a question of order.
 - (d) No speech shall exceed five minutes, except by consent of the Council
 - (e) An amendment shall be either:
 - (i) To leave out words
 - (ii) To leave out words and insert or add others.
 - (iii) To insert or add words
 - (f) An amendment shall not have the effect of negating the motion before the Council
 - (g) If an amendment were carried, the resolution as amended shall take the place of the original resolution and shall become the resolution upon which any further amendment may be moved.
 - (h) A further amendment shall not be moved until the Council has disposed of every amendment previously moved (but a Councillor may with the permission of the Chairperson give notice of his desire to propose a further amendment to the motion or an amendment to the amendment).
 - (i) The mover of a resolution or of an amendment shall have the right of reply.
 - (j) A Member may make a point of order or a personal explanation. A personal explanation shall be confined to some material part of a former speech by him/her, which may have been misunderstood. For these purposes a Member shall be heard forthwith.

- (k) A motion or amendment may be withdrawn by the proposer with the agreement of the seconder, which shall be signified without discussion and no Member may speak upon it after permission has been asked for its withdrawal unless such permission has been refused.
 - (l) When a resolution is under debate no other resolution shall be moved except the following:
 - (1) To amend the resolution
 - (2) To proceed to the next business
 - (3) To adjourn the debate
 - (4) That the question be now put
 - (5) That a Member named be not further heard
 - (6) That a member named do leave the meeting
 - (7) That the resolution be referred to a committee
 - (8) To exclude the public, the press or both
 - (9) To adjourn the meeting.
25. (a) The ruling of the Chairperson on a point of order or on the admissibility of a personal explanation shall not be discussed.
- (b) Members shall address the Council through the Chairperson
- (c) The Chairperson shall call one speaker only to speak at any one time.
- (d) All other Members shall be silent when the Chairperson speaks.

CLOSURE

26. At the end of a speech a Member may without comment move ‘that the question be now put’, or ‘that the debate be now adjourned’ or ‘that the Council do now adjourn’. If such a motion is seconded and if the Chairperson is of the opinion that the question before the Council has been sufficiently debated, but not before, he/she shall forthwith put the motion. If the motion ‘that the question be now put’ is carried, he/she shall call upon the mover to exercise or waive his/her right of reply and shall put the question immediately after that right has been exercised or waived. The adjournment of a debate or of the Council shall not prejudice the mover’s right of reply at the resumption.

DISORDERLY CONDUCT

27. (a) No Member shall misconduct him/herself at a meeting by persistently disregarding the ruling of the Chairperson, by willfully obstructing business or by behaving irregularly, offensively, improperly or in such a manner as to bring the Council into disrepute or bring it into contempt or ridicule.
- (b) If, in the opinion of the Chairperson, a Member has so misconducted him/herself, the Chairperson shall express that opinion to the Council and thereafter any Member may move that the Member named be no longer heard or that the Member named do leave the meeting and the motion, if seconded, shall be put forthwith and without discussion.
- (c) If either of the above mentioned motions are disobeyed, the Chairperson may suspend the meeting or take such further steps as may reasonably be necessary to enforce them.

RIGHT TO REPLY

- 28 The mover of a resolution shall have the right to reply immediately before the resolution is put to the vote. If an amendment is proposed the mover of the amendment shall be entitled to reply immediately before the amendment is put to the vote. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

ALTERATION OF RESOLUTION

29. A Member may, with the consent of the seconder, move amendments to his/her own resolution.

RECISSION OF PREVIOUS RESOLUTION

30. (a) A decision of the Council, whether affirmative or negative, shall not be reversed within six months save by a special resolution, the written notice of which bears names of at least four members of the Council.
- (b) When a special resolution has been disposed of no similar resolution may be moved within a further six months.
- (c) This order shall not apply to rescinding resolutions moved in pursuance of the report or recommendation of a committee.

VOTING ON APPOINTMENTS

31. Where more than two persons have been nominated for any position to be filled by the Council and of the votes given there is not an absolute majority in favour of one person, the name of the person having the least votes shall be struck off the list and a fresh vote taken and so on until a majority of votes is given of one person.

DISCUSSIONS AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL

32. If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service of any person employed by the Council, it shall only be considered under the confidentiality clause and in a closed session. The Council or Committee, as the case may be, will decide whether or not the public shall be excluded, all detail to be minuted on coloured paper.

SEALING OF DOCUMENTS

33. (a) A document shall not be sealed on behalf of the Council unless its' sealing has been authorised by resolution.
- (b) Any two Members of the Council may seal, on behalf of the Council, any document required by law to be issued under seal.

COMMITTEES AND SUB-COMMITTEES

- 34 The Council may at the Annual Meeting appoint standing committees and may at any other time appoint such other committees as are necessary, but subject to any statutory provisions in that behalf:-
- (a) shall not appoint any Member of a committee so as to hold office later than the next Annual Meeting and
- (b) may, subject to the provisions of Order 30 above, at any time dissolve or alter the membership of a committee.
- 35 The Chairperson and Vice Chairperson of the Council shall be Members of every committee.
- 36 Every committee, other than standing committees, shall at its first meeting before proceeding to any other business, elect a Chairperson & Vice Chairperson who shall

hold office until the next Annual Meeting of the Council.

- 37 The Chairperson of a committee or the Chairperson of the Council may summon a special meeting of that committee at any time. A special meeting also summoned on the requisition in writing of not less than a 3rd of the Members of the committee. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.
- 38 Every committee may appoint sub-committees for the purpose to be specified by the committee
- 39 The Chairperson and Vice-Chairperson of the committee shall be members of every sub-committee appointed by it.
- 40 Except where ordered by the Council in the case of a committee, or by the Council, or by the appropriate committee in the case of a sub-committee, the quorum of a committee or sub-committee shall be 3rd, but not less than 3, of its Members.
- 41 The Standing Order on rules of debate, except for the parts relating to speaking more than once, and the Standing Order on interests of Members shall apply to all committee and sub-committee meetings in so far as they are appropriate.
- 42 Where committees do not consist of the full membership of the council voting should be by show of hands – where committees are made up of full council then it shall be called a meeting.
- 43 Chairperson of committees & sub- committees, in the event of a tied vote, shall have a casting vote.
- 44 Any Council Member shall, unless the Council decides otherwise, be entitled to be present as a spectator at the meetings of any committee & sub- committee of which he/she is not a Member.

INTERESTS

45 If any member has a pecuniary interest, direct or otherwise, within the meaning of sections 73(1) of the Local Government Act of 2000, as amended, in any contract, proposed contract or other matter, he/she shall, while under consideration by the Council, declare an interest. He/she should then withdraw from the meeting, unless:-

- (a) The interest is trivial under the meaning of the act.
 - (b) The disability imposed upon him/her by these sections have been removed by the Borough Council
 - (c) The Council invite him/her to remain
 - (d) The contract or proposed contract or other matter is under consideration as part of the report of a committee and is not itself the subject of the debate.
- 46 The Clerk shall record in a book to be kept for the purpose, particulars of any notice given by any Member or any officer of the Council of a pecuniary interest in a contract. The book shall be available during reasonable hours of the day for the inspection of any Member.
- 47 If a candidate for any appointment under the Council is to his/her knowledge related to any Member or the holder of any office under the Council, he/she and the person to whom they are related shall disclose that relationship on an application form. A candidate who fails to do so shall be disqualified for such appointment and if appointed may be dismissed without notice. The Clerk shall report to the Council or to the appropriate committee any such disclosure. Where relationship to a Member or officer is disclosed, the Standing Orders on interest on contracts and other matters shall apply. The Clerk shall make known the purport of this Standing order to every candidate.

48(a) Canvassing of Members or of any committee, directly or indirectly for any appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make known the purport of this sub paragraph of this Standing Order to every candidate.

(b) A Member of the Council shall not solicit for the appointment of any person under the Council or recommend any person for such appointment or for promotion. But nevertheless, a Member shall be entitled to give a written reference of a candidate's ability, experience or character for submission to the Council with an application for appointment but not be allowed to attend the interview.

49 Standing Orders nos. 49 & 50 shall apply to tenders as if the person making the tender were a candidate for an appointment.

INSPECTION OF DOCUMENTS

50 A Member may, for the purpose of his duty as such, but not otherwise, inspect a document in possession of the Council or a committee and if copies are available shall, on request, be supplied, for the like purpose, with a copy.

51 (a) All minutes kept by the Council and by any committee shall be open for the inspection of any Member of the Council.

(b) The minutes of the Council shall be open for inspection by a local government elector of the Community without charge.

UNAUTHORISED ACTIVITIES

52 No Member of the Council or of any committee shall, in the name of the Council or on behalf of the Council:-

(a) Inspect any land or premises, which the Council has the right or duty to inspect

(b) Issue orders unless authorised to do so by the Council or the relevant committee.

ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

53 The public and the press shall be admitted to all meetings of the Council and its committees, which may however, temporarily exclude the public or the press, or both, by means of the following resolution: - *“That in view of the special or confidential nature of the business about to be transacted it is advisable in the public interest that the public and the press be temporarily excluded and they are instructed to withdraw”*. The special reasons should be stated under the confidentiality clause.

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

55 If a Member of the public, without prior permission of the Council to speak, interrupts the proceedings at any meeting, the Chairperson may, after warning, order that he/she be removed from the Council Chamber or that the part of the Chamber open to the public be cleared.

56 Members of the public shall be allowed a copy of the minutes of the previous meeting to accompany the agenda and can be kept for the duration of the meeting, to be handed back to Clerk prior to leaving the meeting. This addition to remain in place for the duration of the current elected Council.

CONFIDENTIAL BUSINESS

- 57 No Member of the Council or of any committee or sub-committee shall disclose to any person not a Member of the Council any business transacted and declared to be confidential by the Council, the committee or sub-committee as the case may be. Confidential papers shall be in pink (confidential), to be sent out with a meeting notice, to allow Councillors time to read and handed back to the Clerk at the end of the meeting.

VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

- 58 Any part of the Standing Orders may be suspended by resolution in relation to any specific item of business except for Standing Orders nos. 3, 4, 10, 11, 13, 16, 32, 43, 48, 53 and 55. A resolution to suspend any part of standing orders must be carried by 2/3 (two thirds) of those voting on the motion.
- 59 A motion permanently to vary or revoke a standing order shall when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

PLANNING APPLICATIONS

- 60 (a) The Clerk shall enter particulars of every planning application received by the Community Council to be kept on file.
 (b) The Clerk shall refer every planning application to each Member of the Ward relating to the application.
 (c) The County Borough Council Members must comply with the regulations as set by the Model Code of Conduct.

RECORD OF ATTENDANCES

- 61 The number of attendance that each Member has made at the Council and at Committee meetings shall be published at the close of the Council year.

LANGUAGE POLICY

- 62 The proceedings and business of the Council should be conducted in accordance with the adopted Welsh Language Policy.

STANDING ORDERS TO BE GIVEN TO MEMBERS

- 63 A printed copy of these Standing Orders shall be given to each Member by the Clerk upon delivery to him of the Member's declaration of acceptance of office.
- 64 All copies of minutes should accompany the notice.

CONFIDENTIALITY CLAUSE

In accordance with the Public Bodies (Admission to Meetings) act 1960, which applies to Community Councils, it was RESOLVED that the public be excluded from this meeting during consideration of the undermentioned item of business, as publicity would be prejudicial to the public interest because of the confidential nature of the business to be transacted.

WMO May 2019

WMO updated item 1 – Sept 2019