



PRESTATYN
TOWN COUNCIL

7 Nant Hall Road
Prestatyn
LL19 9LR

1st February 2023

Dear Councillor

You are **SUMMONED** to attend a meeting of **FULL COUNCIL** to be held in The Chambers, Prestatyn Town Council, 7 Nant Hall Road, Prestatyn on **Wednesday 8th February 2023 at 6:15pm.** If remote access is required, please contact the office.

Yours Sincerely

Town Clerk

Prayers will be held prior to commencement.

- 1 **APOLOGIES**
- 2 **DECLARATIONS OF INTEREST**
To receive notice of Councillors personal and/or prejudicial interest in tonight's proceedings as required by Code of Conduct legislation
- 3 **PUBLIC PARTICIPATION**
- 4 **PRESENTATION FROM CASTLE GREEN HOMES DEVELOPMENT, LAND AT MIDNANT FARM, GRONANT ROAD 45 NEW DWELLINGS**
- 5 **MINUTES**
Full Council meeting of 11th January 2023
Copy attached.
- 6 **MAYORAL COMMUNICATIONS**
Cllr Sharon Frobisher
- 7 **TOWN PLANNING VICE CHAIR RESIGNATION OF CLLR HOLLIDAY**
Appendix i

CYNGOR
TREF PRESTATYN



7 Ffordd Llys Nant
Prestatyn
LL19 9LR

1^{af} Chwefror 2023

Annwyl Gyngorydd

Fe'ch **GELWIR** i gyfarfod y **CYNGOR LLAWN** yn **Y Siambrau**, Cyngor Tref Prestatyn, 7 Ffordd Llys Nant, Prestatyn ar Ddydd Mercher 8^{fed} Chwefror 2023 am 6:15pm.
Os byddwch angen mynychu o bell, cysylltwch â'r swyddfa os gwelwch yn dda

Yn gywir iawn

Clerc y Dref

Bydd gweddïau cyn cychwyn

- 1 **YMDDIHEURIADAU**
- 2 **DATGANIADAU O DDIDDORDEB**
Derbyn hysbysiad am ddiddordebau personol a/neu ragfarnus y Cyngorwyr yn nhrefodion y cyfarfod heno fel sy'n ofynnol gan ddeddfwriaeth y Cod Ymddygiad
- 3 **CYFRANOGAETH Y CYHOEDD**
- 4 **CYFLWYNIAD GAN GWMNI DATBLYGU TAI CASTLE GREEN, TIR AR FFERM MIDNANT, Ffordd Gronant, 45 o Anheddau Newydd.**
- 5 **COFNODION**
Mae copi wedi'i atodi o gofnodion y Cyngor Llawn ar 11 Ionawr 2023.
- 6 **CYFATHREBIADAU'R MAER**
Y Cyng Sharon Frobisher
- 7 **IS-GADEIRYDD CYNLLUNIO TREF YMDDISWYDDIAD Y CYNG HOLLIDAY**
Atodiad i

8 PRESTATYN CLASSIC CAR
SHOW REPRESENTATIVE

9 LEVELLING UP FUNDING

10 CIVILITY AND RESPECT PLEDGE
Appendix ii Pledge
Appendix iii Supporting document.

11 POLICY SUB-COMMITTEE DRAFT
MINUTES
Appendix iv

12 PROPOSED STANDING ORDERS
Appendix viii

13 PRESTATYN TOWN COUNCIL
'COMMUNITY PLAN'

14 KING CHARLES III CORONATION

8 CYNRYCHIOLYDD SIOE GEIR
CLASUROL PRESTATYN

9 Y GRONFA FFYNIANT BRO

10 YR ADDUNED URDDAS A PHARCH
Atodiad ii Adduned
Atodiad iii Dogfen ategol.

11 COFNODION DRAFFT YR IS-BWYLLGOR
POLISI
Atodiad iv

12 RHEOLAU SEFYDLOG ARFAETHEDIG
Atodiad viii

13 CYNGOR TREF PRESTATYN
'CYNLLUN CYMUNEDOL'
Atodiad ix

14 CORONIAD Y BRENIN CHARLES III

To: All Town Councillors
All County Councillors
Public Notice

I'r: Cynghorwyr Tref i gyd
Cynghorwyr Sir i gyd
Hysbysiad Cyhoeddus

FULL COUNCIL

Minutes of Full Council meeting held on Wednesday 11th January 2023 at 6.15pm-7.01pm.

PRESENT

Councillors: T. Jones MBE (Mayor & Chair), B. Williams, C. Holliday, A. West, E. Heaton, A. Tomlin, A. Sampson, J. Thompson-Hill, C. Evans, I. Lifford, K. Clewett, G. German, J. Mclellan

Remote: H. Irving, J. Matthews, G. Sandilands.

IN ATTENDANCE

Mrs. L. Fearn – Town Clerk / Responsible Financial Officer, Mrs S. Hembrough-Office Manager, Mrs. C. Ashworth and Miss C. Jones- Administration Officer, Rev. D. Ash, and County Cllr J. Harland (Observer and attended remotely)

APOLOGIES

Councillors: B. Murray, S. Frobisher

230 PRAYERS

Rev D. Ash read a poem from 'Frogs and Cream' and carried out prayers.

Rev. D. Ash left the meeting 6.20pm

The Mayor informed members about the sad loss of Cllr S. Frobisher's father and updated the members regarding Cllr B. Murray's health.

The members asked the Town Clerk to send their regards to them both.

RESOLVED

231 DECLARATIONS OF INTEREST

Councillors were reminded of the need to declare personal and/or prejudicial interest in tonight's proceedings in accordance with the code of legislation.

NONE RECEIVED

232 PUBLIC PARTICIPATION

No member of the public attended

NONE RECEIVED

233 MINUTES FOR FULL COUNCIL 30th NOVEMBER 2023

The minutes from the Full Council meeting held on 30th November 2022 were accepted and signed.

APPROVED

234 PRECEPT 2023-2024

OPTION 1 PRECEPT £494,295 BAND D £63.74 no change to stay the same 2022/2023
PRECEPT RATIFIED

235 MAYORAL COMMUNICATIONS

NONE RECEIVED

236 FINANCE AND MANAGEMENT CHAIR RESIGNATION OF CLLR K CLEWETT

Members were informed of Cllr K. Clewett's Resignation as Chair of Finance and Management.

Cllr K. Clewett proposed Cllr C. Holliday to replace her as Chair of Finance and Management. Cllr A. West seconded the proposal.

A vote was taken.

FOR	ABSTAINED
Cllr J. Matthews	Cllr C. Evans
Cllr K. Clewett	
Cllr C. Holliday	
Cllr I. Lifford	
Cllr E. Heaton	
Cllr B. Williams	
Cllr G. Sandilands	
Cllr A. West	
Cllr G. German	
Cllr J. Mclellan	
Cllr J. Thompson-Hill	
Cllr A. Sampson	
Cllr T. Jones MBE	
Cllr A. Tomlin	
Cllr H. Irving	

RESOLVED

237 PRESTATYN TOWN COUNCIL CIVILITY AND RESPECT PLEDGE

Members received a copy of a draft Prestatyn Town Council's Civility and Respect Pledge.

Members unanimously supported the pledge however before committing to adopting, have requested to read through the background/supporting document. It was agreed that the vote to adopt would be deferred.

Town Clerk is to circulate the background document to the members.

ALL MEMBERS AGREED UNANIMOUSLY

RESOLVED

238 MEMBERS' REQUEST

Members requested that Prestatyn Town Council's Community Plan be included in February Full Council Meeting Agenda.

Town Clerk to circulate previous plan.

ALL MEMBERS AGREED UNANIMOUSLY

RESOLVED

Mayor_____

54 Bastion Gardens
PRESTATYN
Denbighshire
LL19 7LU

11th January, 2023

Lisa Fearn
Town Clerk
Prestatyn Town Council
7 - 9 Nant Hall Road
PRESTATYN,
LL19 9LR

Dear Lisa,

Having been successfully appointed to the position of Chair for the Finance and Management Committee which I accept.

I now feel that I should tender my resignation as Vice Chair of the Town Planning Committee with immediate effect.

I have enjoyed the experience and I look forward to working more closely with you in my new role.

Best wishes and regards.

Yours sincerely,

Carol A. Holliday
C A Holliday
Cyng/Cllr Carol Holliday



Prestatyn Town Council

Civility and Respect Pledge

At the Full Council meeting on Wednesday 8 February 2023, Prestatyn Town Council signed up to the Civility and Respect Pledge set out by The National Association of Local Councils, the Society of Local Council Clerks and One Voice Wales.

The Pledge;

Prestatyn Town Council has registered and agreed to the following statements;

- By signing this Pledge, Prestatyn Town Council is agreeing that the Council will treat councillors, clerks, employees, members of the public, and representatives of partner organisations and volunteers with civility and respect in their roles.
- Prestatyn Town Council has put in place a training programme for councillors and staff.
- Prestatyn Town Council has signed up to the Code of Conduct for councillors.
- Prestatyn Town Council has good governance arrangements in place including staff contracts and a dignity at work policy.
- Prestatyn Town Council will seek professional help at the early stages should civility and respect issues arise.
- Prestatyn Town Council will commit to calling out bullying and harassment if and when it happens.
- Prestatyn Town Council will continue to learn from best practices in the sector and aspire to be a role model/champion council through, for example, the 'Local Council Award Scheme'.
- Prestatyn Town Council supports the continued lobbying for change in legislation to support the Civility and Respect Pledge including sanctions for elected members where appropriate.

Civility and Respect Pledge

Full Background Information Document

Contents	2
The Pledge;	3
Mission Statement	3
Project Workstreams	3
Training	3
Governance	4
Intervention	4
Legislative	4
Collaboration	4
Enabling	4
RESOURCES	4
Bullying and Harassing Statement	5
Code of Conduct	5
Code of Conduct Supporting Guidance	6
Civility and Respect Continuum	7
Dignity at Work Policy	7
Early Day Motion	8
HR Podcasts	10
Model Councillor-Officer Protocol	10
Recruitment Guide	11
Roles and Responsibilities Guidance	11
Social Media Guide	11
Training programme	11

Civility and Respect Pledge set out by The National Association of Local Councils, the Society of Local Council Clerks and One Voice Wales.

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- Council has put in place a training programme for councillors and staff.
- Council has signed up to the Code of Conduct for councillors.
- Council has good governance arrangements in place including staff contracts and a dignity at work policy.
- Council will seek professional help at the early stages should civility and respect issues arise.
- Council will commit to calling out bullying and harassment if and when it happens.
- Council will continue to learn from best practices in the sector and aspire to be a role model/champion council through, for example, the local Local Council Award Scheme.
- Council supports the continued lobbying for change in legislation to support the Civility and Respect Pledge including sanctions for elected members where appropriate.

The following pages details the support that is offered towards achieving this pledge with appropriate assistance as noted. These details have been gleaned from the National Association Local Councils (NALC) website, from which further information can be found; <https://www.nalc.gov.uk/our-work/civility-and-respect-project>. Links detailed in this document in **bold blue** may be accessed when being read electronically.

Mission Statement

Civility and Respect should be at the heart of public life, and good governance is fundamental to ensuring an effective and well-functioning democracy at all levels.

The intimidation, abuse, bullying and harassment of councillors, clerks, and council staff, in person or online, is unacceptable, whether by councillors, clerks, council staff, or public members.

This can prevent councils from functioning effectively, councillors from representing local people, discourage people from getting involved, including standing for election, and undermine public confidence and trust in local democracy.

National Association Local Councils (NALC), county associations and One Voice Wales (OVW), as the membership organisations representing the first tier of local government in England and Wales, and the Society Local Council Clerk (SLCC), as the professional body for clerks, are committed to working together to promote civility and respect in public life, good governance, positive debate and supporting the well-being of councillors, professional officers, and staff.

To that end, the Civility and Respect Working Group will be working to deliver tangible resources, actions, and interventions in four main areas:

- providing councils with the tools to support good governance
- lobbying to strengthen the standards regime and encouraging more people to get involved
- training
- processes to intervene to provide support to struggling councils

Project Workstreams

The group has identified a significant number of changes and improvements considered vital to provide support to help reduce and manage the issues related to bullying and harassment in the sector. These factors have been organised into six project workstreams that will deliver on the mission statement.

Training

A critical step in creating a safe and inclusive environment for local councils is making all councillors, clerks, and council staff aware of the issues, what is — and what is not — acceptable. Knowing how to recognise and address bullying, harassment, discrimination, and inclusion is an essential step in prevention.

Training ensures that councils demonstrate that they do not tolerate these types of behaviour and provide the tools to intervene immediately, consistently, equitably, and appropriately when bullying occurs.

Governance

Bullying can have a detrimental effect on officers and is corrosive to leadership. It could lead to decision-making, not in the public interest and a failure of standards and governance.

Good governance is one of the building blocks of anti-bullying and harassment and is fundamental to ensuring an effective and well-functioning democracy at all levels.

Intervention

Sometimes relations in a council deteriorate beyond the ability to be repaired by the implementation of, and adherence to, good governance and comprehensive training of staff and councillors.

The council may have recognised that it cannot restore effective leadership, functionality, and civility without support.

The project team is working on some strategies to support struggling councils.

Legislative

The Committee on Standards in Public Life undertook a review of Local Government Ethical Standards and, in January 2019, produced a report comprising 26 recommendations for legislative changes. The resulting recommendations included:

- The ability for the principal authority to impose sanctions on a parish councillor following a review
- The ability for a local authority to suspend councillors
- Mandatory training for clerks

The lobbying of the government to implement these, and other recommendations, is ongoing within NALC and SLCC. The project will highlight the continuous action taken to progress these and other legislative changes.

Collaboration

The project team is working closely with the Local Government Association (LGA), Lawyers in Local Government (LLG) and other associations navigating their way through similar sector issues.

Enabling

The enabling workstream makes bullying and harassment information and support available to clerks and councils.

RESOURCES

Bullying and Harassing Statement

Local councils may wish to add a statement poster to their websites stating that bullying, harassment, and intimidation will not be tolerated.

Code of Conduct

One of the critical issues already identified by the project is that the Code of Conduct produced by the Local Government Association (LGA) in 2021 has not been widely adopted. The Civility and Respect project has endorsed the LGA model Code of Conduct, and the guidance notes aimed to help understanding and consistency of approach towards the code.

The code is a template for councils to adopt in whole and or with amendments to take into account local circumstances.

The code and guidance have been designed to protect our democratic role, encourage good conduct, and safeguard the public's trust and confidence in the role of councillor in local government.

While it sets out the minimum standards of behaviour expected, together with the guidance, it is designed to encourage councillors to model the high standards expected, to be mutually respectful even if they have personal or political differences, to provide a personal check and balance, and to set out the type of conduct that could lead to complaints being made of behaviour falling below the standards expected of councillors and in breach of the code. It is also to protect councillors, the public, local authority officers and the reputation of the local government.

Code of Conduct Supporting Guidance

The Civility and Respect Project team has worked with Hoey Ainscough Associates Ltd to revise the Local Government Association (LGA) Code of Conduct guidance to reflect the needs of our sector better. The revised guidance has been approved for use by NALC and the SLCC and endorsed by LGA.

The LGA produced a revised code of conduct in December 2020, supported by a guidance document they first circulated in July 2021. The supporting guidance was a beneficial document but not tailored to the nuances of local (parish and town) councils. With the support of the LGA, the project team has revised the guidance to precisely reflect the needs of and situations relevant to local councils.

The guidance covers the following:

- The general principles of councillor conduct
- Application of the model councillors' code of conduct

General obligations under the code include:

- Respect
- Bullying
- Harassment
- Discrimination
- Impartiality
- Misuse of position

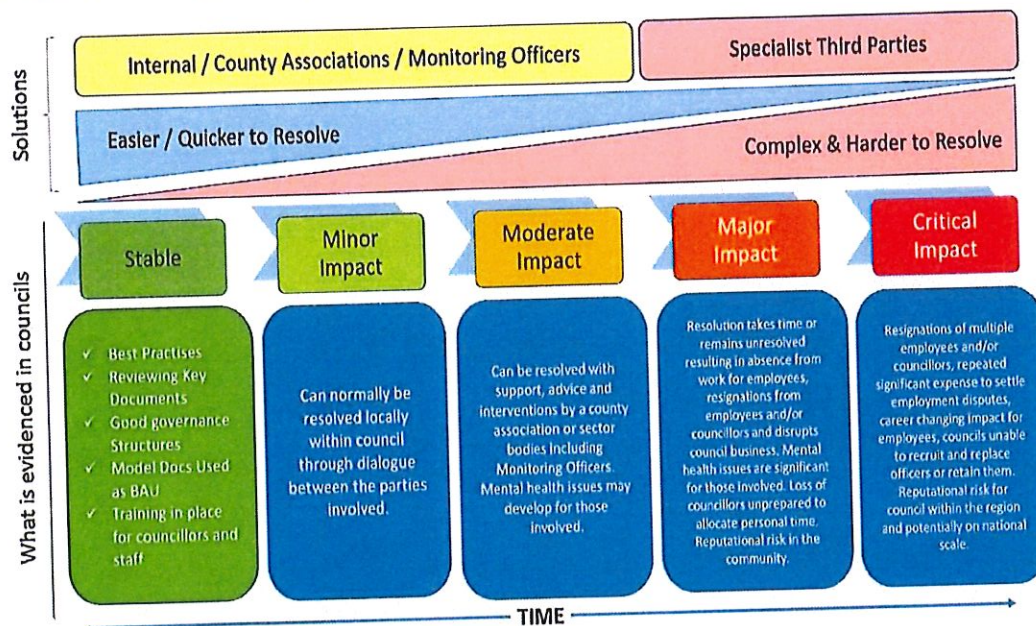
Protecting the reputation of the council, including:

- Declarations of interest

- Bias and pre-determination

Civility and Respect Continuum

The Civility and Respect Continuum illustrates how issues escalate over time. Our research has indicated that councils experiencing poor conduct or vexatious demands/complaints often experience problems repeatedly over a significant period of time. The longer an issue is permitted to continue, unaddressed, the more complex, time-consuming, and expensive the resolution becomes. This can eventually result in damage to the reputation of the council and health issues for those involved eventually ending with multiple resignations of both staff and councillors. Councils that have up-to-date policies and procedures, well-trained councillors and employees can often manage and mediate issues with or without advice and support from county associations and/or monitoring officers. Where councils become overwhelmed or fail to draw upon the resources available, matters can escalate and come under significant strain and pressure. In these situations, the solutions are often beyond the existing support offered and invariably best resolved by third parties, a costly and time-consuming challenge.



The project is identifying solutions to support councillors, officers, councils, and county officers at every stage of the civility continuum, however, whilst governance and training solutions may help with minor and moderate issues, the options for support at the major end of the scale become more limited. Support from monitoring officers and county associations may provide resolution in some instances but often issues have become too complex to resolve without costly interventions from specialist third parties. Every attempt should be made to prevent escalation by addressing potential behavioural issues as soon as they arise, calling out bullying and harassment at the earliest opportunity and standing up for civil and respectful behaviour.

If the issues within a council have escalated to critical, then the options for resolution are still further limited, with costly external resolution and legal support often being required to reach resolutions. Potential action/intervention at this stage is being piloted with a town council struggling with chronic issues. It is being overseen by the joint NALC/SLCC Internal Development Board. If the solution proves successful it may be possible to expand the support programme, but much depends on the councils' willingness to make a positive change. Early intervention to head off chronic issues is a far more effective mechanism to handle poor behaviour.

Dignity at Work Policy

The Dignity at Work policy is the first of a series of new or revised governance documents which are being developed by the project team. The documents have been reviewed by a focus group made up of clerks, councillors, monitoring officers, and county associations.

The Dignity at Work policy will replace any previous bullying and harassment policy. It encompasses behaviours beyond bullying and harassment and zero-tolerance to deal with concerns before they escalate. It has been produced with supporting guidance because it is essential that any commitment to the policy is applied in practice.

The wording has been suggested to demonstrate a council's commitment to promoting dignity and respect where they have signed up to the **Civility and Respect Pledge**. Councils who have not signed up for this are requested to consider making this pledge which is based on basic behaviours and expectations of all council representatives to create workplaces that allow people to maintain their dignity at all times.

The Dignity at Work policy makes reference to an Equality and Diversity policy. To access the template, please log in to the NALC website and visit the **templates section**. (password protected)

Early Day Motion

The parliamentary session for this Early Day Motion (EDM) day motion has now expired, but please do continue to use the sample letters as amendable templates to lobby your MPs on civility and respect issues.

An EDM has been registered by an MP calling for the government to establish an appropriate and effective sanctions mechanism to deal with local councillors who have been found guilty of bullying and harassment following an independent investigation. The MP was alerted to the issue when the Association of Local Council Clerks (ALCC)* member contacted him with regards to the behaviour she had suffered.

*ALCC is the independent trade union for clerks

What is Early Day Motion (EDM)?

EDMs are motions submitted for debate in the House of Commons for which no day has been fixed. Whilst few are debated, many attract a great deal of public interest and media coverage.

They are used to put on record the views of individual MPs or to draw attention to specific events or campaigns. By attracting the signatures of other MPs, they can be used to demonstrate the level of parliamentary support for a particular cause or point of view.

What can you do?

The more MPs that support this EDM, the more likely it is to get discussed in parliament. Please either table an agenda item to pass a resolution to write to your MP asking that they back this motion and have it discussed in parliament or write to your MP as an individual. The drive to improve standards in our sector is being included as a topic on NALC's Lobby Day on 23 March 2022, so it is a great time to support lobby day with a letter to your MP.

HR Podcasts

One critical area that challenges relationships between councillors and clerks is the council's responsibility as an employer for the clerk. Councils that support and value their staff can better deliver their objectives and adapt to changing needs or priorities. Whether the council employs a single member of staff for a few hours a week, or a large and varied team of individuals, good employment practice from recruitment to support and development is key to achieving the best outcomes for your communities.

The Civility and Respect Project team have worked with Chris Moses, managing director of Personnel Advice and Solutions Ltd, to deliver a series of podcasts explaining councils' responsibilities as employers.

Podcast #1 — Building an effective personnel committee

In this first podcast, Chris Moses explains the importance of ensuring local councils have an effective personnel committee, what the responsibilities of the committee are and gives an overview of the critical issues, including:

- Who is best suited to be on the committee?
- Effective terms of reference
- Having the right contacts
- Statutory requirements for effective line management

Watch the podcast

Podcast #2 — Recruitment

In this second podcast, Chris Moses covers the critical considerations for councils about recruitment, including:

- Deciding who in the council is responsible for recruitment
- Drafting the person's specification
- Designing the job advert around the needs of the council
- Objective/non-discriminatory selection criteria
- Asking the right questions in the right place at the right time
- Using objective and measurable methods to select the right person

- Entitlement to work in the UK and Inductions

Watch the podcast

Podcast #3 — Handling grievances

In this podcast, Chris Moses covers the critical considerations for councils about handling grievances, including:

- Who do employees complain to, and who has the authority to deal with these situations?
- Investigating complaints informally
- Deciding whether the council can resolve the complaint
- Code of Conduct complaints against councillors
- Conducting a formal grievance and appeal hearing

This is an introduction to the subject and should be viewed alongside current grievance policies. In any grievance process, it is so essential that the review panel is made up of impartial and independent councillors, and sometimes it is necessary to seek additional advice or to outsource the case to an HR service provider with specialist local council knowledge.

Watch the podcast

Podcast #4 — Handling disciplinary situations

In this podcast, Chris Moses covers some of the critical considerations for councils about handling disciplinary situations, including:

- Who has the right within the council to discipline staff?
- Conducting informal investigatory meetings
- Deciding how to support and encourage employees to improve and overcome their conduct/performance issues fairly and reasonably
- What if they do not improve – formal disciplinary action?
- Getting the formal process and the paperwork right, including dismissals

This is an introduction to the subject and should be viewed alongside current grievance policies. In any grievance process, it is so essential that the review panel is made up of impartial and independent councillors, and sometimes it is necessary to seek additional advice or to outsource the case to an HR service provider with specialist local council knowledge.

Watch the podcast

Podcast #5 — Appraisals

In this podcast, Chris Moses covers some of the critical considerations for councils about appraisals, including:

- The purpose of appraisals
- Picking the correct appraisal form for your council

- How to prepare for the appraisal
- Asking the right questions in the right place and at the right time
- Action plans following appraisals
- Confidentiality

This is an introduction to the subject. More information and training may be available from your county association, and sometimes it is necessary to seek additional advice from an HR service provider with specialist local council knowledge.

Watch the podcast

Model Councillor-Officer Protocol

A strong, constructive, and trusting relationship between councillors and officers is essential to the effective and efficient working of the council.

The purpose of this protocol is to guide councillors and officers of the council in their relations with one another. The protocol's intention is to build and maintain good working relationships between councillors and officers as they work together.

The document covers the following:

- The respective roles and responsibilities of the councillors and the officer.
- Relationships between councillors and officers.
- Where/who should a councillor or an officer go to if they have concerns?
- Who is responsible for making decisions?

Read the protocol

Recruitment Guide

One key area that challenges relationships between councillors and clerks is the council's responsibility as an employer for the clerk. Councils that support and value their staff can better deliver their objectives and adapt to changing needs or priorities.

The creation of, and appointment to any post, particularly the most senior job(s) in an organisation, is one of the most critical investments a council will make. The recruitment process presents legal requirements and key challenges in choosing the right person.

Whether the council employs a single staff member for a few hours a week or a large and varied team of individuals, good recruitment practices are the key to fostering good relationships.

Therefore, everyone responsible for or involved in staff recruitment must meet the challenges through a planned and structured process and understand the key issues and best techniques. This guide has been developed to assist you and your local council through all the stages of a successful recruitment campaign.

To access the guide, please visit the [Development Tools](#) section of the member's area (password protected).

Roles and Responsibilities Guidance

Councillors and officers have different but complementary roles. Councillors, as the democratically elected representatives of their areas, are there to set the budget and strategic direction of the council and ensure that the community's priorities are identified and delivered. The responsibility of officers is to advise the council on whether its decisions are lawful and recommend ways to implement them. The council is responsible for decisions, and officers take instructions from the council as a body. They are not answerable to any individual councillor – not even the chair.

The roles and responsibilities document expands on the guidance given in the councillor-officer protocol, gives practical examples and explains some grey areas. It should be read alongside The Good Councillor's guide published by NALC and model councillor-officer protocol.

Read the roles and responsibilities guidance

Social Media Guide

Social media is a simple, quick, and effective way of communicating. It allows a user to reach whole communities at the click of a button, which is perfect for community engagement. Councils and councillors can constructively engage with communities rather than simply broadcasting information. But unfortunately, in a small number of cases, councillors and councils can experience online abuse. Social media can become where individuals resort to abusive behaviour, such as aggressive language, threats, trolling and bullying. Building up your following on social media is harder if a small number of angry voices dominate.

The project team has collaborated with Breakthrough Communications to develop a new guide to social media for councils, officers, and councillors to actively address the issues of civility and respect on social media. It is designed to guide you through the challenges of social media for local councils, from handling trolling to legitimate challenge and scrutiny, from smear campaigns to politics. The guide will help you use positive language to tone to shape engagement and the conversation, to find common ground and engage with various views.

There is also help on escalating issues, deleting and moderating comments, blocking abusive users, reporting online abuse and legal matters to the police or social media platforms, and deciding when it is time to get off social media.

Read the social media guide

Training programme

One of the project's key aims is to deliver training packages to support councillors, clerks, and employees experiencing difficulties with bullying and harassment. We have worked with key partners to create a new series of packages covering local council and councillor communications and engagement and are now pleased to share the first range of this training. Cost for attendance will be supplemented by the project, and they are being offered at a 50% discount to the full price until the end of 2022. We will schedule additional dates if we have a high demand for places.

Breakthrough Communications has created a suite of bespoke workshops and resource packs for local council clerks, officers, and councillors as part of the Civility & Respect Project. Each package comprises useful guides, custom-designed toolkits, and access to on-demand and live virtual training events. We have designed separate packages for clerks/officers and councillors, covering the themes of emotional intelligence and resilience, leadership in challenging situations, and how councils and councillors can avoid negative engagement on social media.



POLICY REVIEW SUB-COMMITTEE

Minutes of Policy Review Sub-Committee meeting held on Tuesday 24th January 2023 at 2pm – 4:15pm

PRESENT

Cllr A. Tomlin (Chair), Cllr A. West (Vice Chair) and Cllr C. Evans (*arrived at 3:15pm*)

Mrs L. Fearn - Town Clerk/RFO, Mrs S. Hembrough- Office Manager and Mrs C. Ashworth - Office Administrator.

APOLOGIES

Cllr S. Frobisher

13. MINUTES FOR 8th NOVEMBER 2022

The minutes from the Policy and Review Sub-Committee meeting held on 8th November taken as a true record and signed by the Chair.
RECEIVED

14. STRUCTURE OF COMMITTEES

Members received copies of the Committee Organisation Chart, Terms of Reference Table and Standard Terms of Reference document. Town Clerk explained that all recommendations from Full Council meeting held on November 30th, 2022, have been included.

ALL AGREED UNANIMOUSLY

15. STANDING ORDERS

Members received a copy of the draft Standing Orders to which they recommended the following amendments be made.

- 1, V- Remove the line "only if he is of the opinion that the question before the council have been sufficiently debated".
- 3, I- Remove the line " A member shall remain seated when speaking unless requested to stand by the chair except at Full Council when a member must stand to address the Chair of Council unless given prior permission to remain seated"
- 3, K- Add the line "by inviting members addressed as Councillor ()"
- 3, U iii- Remove the word absent and replace with "who submitted apologies".
- 3, V- Amend the date to 2023 to be confirmed
- 3, Y- Amend the time to "2hr 45minutes".
- 4, F- Remove from document

- 4, J- Remove from document
- 4, T- Reference to the Terms of reference table to be added
- 5, K- Remove I, ii, iv, v, vi, vii, viii. Keep iii and move to 5 J after xvi
- 6, D- To say, "6 Weekdays".
- 10, B- To say, "10 Weekdays".
- 10, I- Remove from document
- 12, A- To say, "10 Weekdays".
- 12, B- Correct typo (Put to instead of Put or)
- 13, F- Amend the date to 2023 to be confirmed
- 14. Draft Minutes- Town Clerk to check One Voice Wales regulations on deadlines for minutes. (Amendment to include 5 working days for draft minutes).
- 15, A- Amend the date to 2023 to be confirmed
- 17, B- To say, "3 Weekdays".
- Change gender pronouns to say He/She/They and then Remove 29. Equality

Town Clerk to make amendments then circulate the updated version to committee members and include on Full Council's agenda for the meeting scheduled on 8th February.

Cllr A. West Leaves at 3:16pm

It was discussed how chairing skills underpin how well Standing Orders are observed and adhered to in meetings, and therefore the importance of Prestatyn Town Council Chairs and Vice Chairs of all committees to undertake Chairing training.

Town Clerk to chase Denbighshire County Council regarding Code of Conduct training for Staff and Cllrs.

Draft Code of Conduct Policy to be an agenda item at the next meeting therefore will be circulated in the coming weeks.

Draft Financial Regulations to be an agenda item at the next meeting therefore will be circulated in the coming weeks.

Town Clerk to Circulate Denbighshire Declaration of Interest Dispensation form to all Prestatyn Town Councillors.

ALL AGREED UNANIMOUSLY

NEXT MEETING DATE TO BE CONFIRMED

Chair _____



STANDING ORDERS

**REVIEWED AND APPROVED BY
PRESTATYN TOWN COUNCIL
ON XX/XX/XXXX**

BASED ON THE NALC MODEL FORMAT
AS PROVIDED BY ONE VOICE WALES

Model standing orders that are in bold type contain legal and statutory requirements. It is recommended that councils adopt them without changing them or their meaning. Model standing orders not in bold are designed to help councils operate effectively but they do not contain statutory requirements so they may be adopted as drafted or amended to suit a council's needs. It is NALC's view that all model standing orders will generally be suitable for councils.

List of Standing Orders

1. Rules of debate at meetings.....	2
2. Disorderly conducts at meetings	4
3. Meetings generally	5
4. Committees and sub-committees.....	8
5. Ordinary council meetings	10
6. Extraordinary meetings of the council.....	12
7. Previous resolutions	13
8. Voting on appointments	13
9. Appointments	13
10. Motions for a meeting that require written notice to be given to the Proper Officer.....	14
11. Motions at a meeting that do not require written notice.....	15
12. Questions	16
13. Management of Information.....	16
14. Draft Minutes	17
15. Code of conduct and dispensations	18
16. Code of conduct complaints.....	18
17. Proper Officer.....	19
18. Responsible Financial Officer	20
19. Accounts and accounting statements	20
20. Financial controls and procurement	21
21. Handling staff matters	23
22. Responsibilities to provide Information	24
23. Responsibilities under Data Protection Legislation	24
24. Relations with the press/media	24
25. Execution and sealing of legal deeds	24
26. Communicating with County Councillors	25
27. Restrictions on councillor activities	25
28. Standing orders generally	25
Annual Document Review Table	25

Standing Orders

1. Rules of debate at meetings

- a Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the Mayor/Chair of the meeting.
- b A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- c A motion on the agenda that is not moved by its proposer may be treated by the Mayor/Chair of the meeting as withdrawn.
- d If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- e An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- f If an amendment to the original motion is carried, the original motion becomes the substantive motion upon which further amendment(s) may be moved
- g An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the Mayor/Chair of the meeting, is expressed in writing to the Mayor/Chair.
- h A councillor may move an amendment to their own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- i If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the Mayor/Chair.
- j Subject to standing order 1(k) below, only one amendment shall be moved and debated at a time, the order of which shall be directed by the Mayor/Chair of the meeting.
- k One or more amendments may be discussed together if the Mayor/Chair of the meeting considers this expedient, but each amendment shall be voted upon separately.
- l A councillor may not move more than one amendment to an original or substantive motion.

- m The mover of an amendment has no right of reply at the end of debate on it.
- n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate of the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.
- o Unless permitted by the Mayor/Chair of the meeting, a councillor may speak once in the debate on a motion except:
 - i. to speak on an amendment moved by another councillor.
 - ii. to move or speak on another amendment if the motion has been amended since they last spoke.
 - iii. to make a point of order.
 - iv. to give a personal explanation; or
 - v. in exercise of a right of reply.
- 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 other irregularity in the proceedings of the meeting they are concerned by.
- q A point of order shall be decided by the Mayor/Chair of the meeting and their decision shall be final.
- r When a 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 no longer heard or 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; or
 - ix. to suspend particular standing order(s) excepting those which reflect mandatory statutory requirements.
- s Before an original or substantive motion is put to the vote, the Mayor/Chair of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived their right of reply.
- t Excluding motions moved under standing order 1(r) above, the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed 5 minutes without the consent of the Mayor/Chair of the meeting.

u Any resolution (which is moved otherwise than in pursuance of a recommendation of the Finance and Management Committee as determined by AGM) and which, if carried, would, in the opinion of the Chair substantially increase the expenditure upon any service which is under the management of the Council or reduce the revenue at the disposal of any committee, or which would involve capital expenditure, shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

v At the end of any speech a member may, without comment, move "that the question be now put", "that the debate be now adjourned" or "that the Council do now adjourn". If such motion is seconded, the Chair shall put the motion but, in the case of a motion "that the question be now put". If the motion "that the question be now put" is carried, he/she shall call upon the mover to exercise or waive his 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.

2. Disorderly conducts at meetings

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the Mayor/Chair of the meeting shall request such person(s) to moderate or improve their conduct.
- b If person(s) disregards the request of the Mayor/Chair of the meeting to moderate or improve their conduct, any councillor or the Mayor/Chair of the meeting may move that the person be no longer heard or excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- c If a resolution made under standing order 2(b) above is ignored, the Mayor/Chair of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.
- d If a member reasonably believes another member is in breach of the code of conduct, that member is under a duty to report the breach to the Standards Board (England) or the Local Commissioner (Wales).
- e If a member of the public interrupts the proceedings at any meeting the Chair shall warn them. If he/she continues the interruption the Chair shall order his removal from the Council Chamber. In the case of a general disturbance in any part of the Chamber open to the public the Chair shall order that part be cleared.

3. Meetings generally

- a Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol unless no other premises are available free of charge or at a reasonable cost.
- b The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.
- c The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice
- d Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all a meeting shall be by a resolution which shall give reasons for the public's exclusion. The resolution shall state;" That in view of the [special] [confidential] nature of the business about to be transacted, it is advisable in the public interest that the press and public be temporarily excluded, and they are instructed to withdraw"
- e Members of the public may make representations, answer questions, and give evidence at at a meeting which they are entitled to attend in respect of the business on the agenda. The public enquiry item which will be the second on the agenda after Apologies for Absence of every Ordinary Council meeting, but not the Annual or Special meetings.
- f The period designated for public participation shall last for 5 minutes, with the Mayor/Chair having discretion to extend it to 10 minutes and after the Public Question Time has been dealt with no member of the public may speak again unless invited to do so by the Mayor/Chair for a particular item to enable clarification.
- g Subject to standing order 3(e) above, a member of the public shall not speak for more than 5 minutes.
- h In accordance with standing order 3(e) above, a question shall not require a response at the meeting nor start a debate on the question. The Mayor/Chair of the meeting may direct that a written or oral response be given.
- i A person shall raise their hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort)]. The Mayor/Chair of the meeting may at any time permit a person to be seated when speaking.

- j A person who speaks at a meeting shall direct their comments to the Mayor/Chair of the meeting.
- k Only one person is permitted to speak at a time. If more than one person wants to speak, the Mayor/Chair of the meeting shall direct the order of speaking by inviting members addressed as "Councillor ()". Whenever the Chair speaks during a debate all other members shall be silent and should Chair rise during debate a Member then standing shall resume his seat and the Council shall be silent.
- l The ruling of the Chair on a point of order or on the admissibility of a personal explanation shall not be discussed.
- m **Photographing, recording, broadcasting, or transmitting the proceedings of a meeting by any means is not permitted without the Council's prior written consent.**
- n **The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**
- o **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Mayor/Chair of the Council may in their absence be done by, to or before the Vice-Mayor/Chair of the Council (if any).**
- p **The Mayor/Chair, if present, shall preside at a meeting. If the Mayor/Chair is absent from a meeting, the Vice-Mayor/Chair if present, shall preside. If both the Mayor/Chair and the Vice-Mayor/Chair are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**
- q **The person presiding at a meeting may exercise all the powers and duties of the Chair in relation to the conduct of the meeting**
- r **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors or councillors with voting rights present and voting.**
- s **The Mayor/Chair of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise their casting vote whether they gave an original vote.**
See standing orders 5(h) and (i) below for the different rules that apply in the election of the Mayor/Chair of the Council at the annual meeting of the council.
- t **Unless standing orders provide otherwise, voting on a question shall be by a show of hands or, if at least two members so request, by signed ballot. At the request of a councillor, the voting on any question shall be recorded to show whether each councillor present and voting gave their vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.**

- u The minutes of a meeting shall include an accurate record of the following:
 - i. the time and place of the meeting.
 - ii. the names of councillors present and submitted apologies.
 - iii. interests that have been declared by councillors and non-councillors with voting rights.
 - iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;
 - v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered.
 - vi. if there was a public participation session; and
 - vii. the resolutions made.

- v **A councillor or a non-councillor with voting rights who has a personal or prejudicial interest in a matter being considered at a meeting which limits or restricts their right to participate in a discussion or vote on that matter is subject to obligations in the code of conduct adopted by the council. If a member who has declared a personal interest, then considers the interest to be prejudicial, they must withdraw from the room or chamber during consideration of the item to which the interest relates. If a member has a personal interest as defined by the Code of Conduct adopted by the Council on XX.XX.2023 (DATE TO BE CONFIRMED) then that interest must be declared and a decision made by the member whether to stay or withdraw.**

- w **No business may be transacted at a meeting unless at least one-third of the whole number of members of the council are present and in no case shall the quorum of a meeting be less than six.**
See standing order 4d(viii) below for the quorum of a Standing Committee or sub-committee meeting.

- x **If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.**

- y A meeting shall not exceed a period of 2 hours 45 minutes.

- z Meetings of the Council shall be held in each year on such dates and times and at such place as the Council may direct and provisional schedule submitted to Council's AGM.

- aa **Should it be known by a councillor of their inability to be present at a meeting they are expected to attend, they should forward their apologies to the Proper Officer at least three working days in advance of the scheduled date to ensure that the appropriate minimum quorum will be in attendance**

- bb **Any other business shall not be included as an agenda item in meetings; a summons must include the agenda for the business to be transacted at the**

meeting. The agenda should set out the order in which the items will be transacted. A council cannot lawfully transact any business which is not included on the agenda. As such, the item 'any other business' should not appear at all, or should simply be used as a peg on which to hang the exchange of urgent information. Additionally, the item could be used to allow genuinely urgent issues to be raised but no decisions should be taken in respect of issues so raised (other than to ensure that they are dealt with properly at a forthcoming meeting, with due notice having been given) and no expenditure should be approved as a result of issues raised under 'any other business'

cc Dress code at all meetings – smart casual

dd All mobile phones/laptops/tablets should be switched off unless being used to read documents / information relevant to the matter in hand

ee Smoking is not permitted at any meeting of the Council.

4. Committees and sub-committees

- a Unless the Full Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.
- b The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the council.
- c Unless the Full Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.
- d The Full Council may appoint standing committees or other committees as may be necessary, and:
 - i. shall determine their terms of reference.
 - ii. shall determine the number and time of the ordinary meetings of a standing committee up until the date of the next annual meeting of full council.
 - iii. shall permit a committee, other than in respect of the ordinary meetings of a committee, to determine the number and time of its meetings.
 - iv. shall, subject to standing orders 4(b) and (c) above, appoint and determine the terms of office of members of such a committee.
 - v. may, subject to standing orders 4(b) and (c) above, appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer three days before the meeting that they are unable to attend.

- vi. shall, after it has appointed the members of a standing committee, appoint the Chair of the standing committee.
 - vii. shall permit a committee other than a standing committee, to appoint its own Chair at the first meeting of the committee.
 - viii. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which shall be no less than three.
 - ix. shall determine if the public may participate at a meeting of a committee.
 - x. shall determine if the public and press are permitted to attend the meetings of a sub-committee and the advance public notice requirements, if any, required for the meetings of a sub-committee.
 - xi. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
 - xii. may dissolve a committee.
- e. **Members appointed for the Resource and Appeals sub-committee shall be determined by Full Council on an as-and-when basis to ensure that no conflict of interest arises through the subject matter to be addressed, and this sub-committee will dissolve once all appropriate matters have been resolved and recommendations reported back to Full Council.**
- f. Every committee shall at its first meeting before proceeding to any other business, elect a Chair and may elect a Vice-Chair who shall hold office until the next Annual General Meeting of Council.
- g. The Chair of a committee or the Chair of the Council may summon an additional meeting of that committee at any time. An additional meeting shall also be summoned on the requisition in writing of not less than six members. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.
- h. Every committee may appoint sub-committees for purposes to be specified by the committee.
- i. The Standing Orders on rules of debate (except those parts relating to standing and to speaking more than once) and the Standing Orders on interests of members in contracts and other matters shall apply to committee and sub-committee meetings.
- j. Members of committees and sub-committees entitled to vote, shall vote by show of hands or, if at least two members so request, by signed ballot.
- k. **Chair of committees and sub-committees shall in the case of an equality of votes have a second or casting vote.**
- l. A member who has proposed a resolution which has been referred to any committee or sub-committee of which he/she is not a member, may explain his resolution to the

committee but shall not vote.

- m. Prestatyn Town Council shall appoint a Town Planning Committee which will meet monthly and follow the Full Council meeting under the same agenda.
- n. Prestatyn Town Council shall appoint a Finance and Management standing committee, which will meet quarterly.
- o. Prestatyn Town Council shall appoint a Community Development and Regeneration standing committee, which will meet quarterly.
- p. Prestatyn Town Council shall appoint a Policy Review Committee, which will meet at least once annually and at other times as are deemed necessary to fulfil its functions
- q. Prestatyn Town Council shall appoint a Resources and Appeals Committee, the members of which will be elected by Full Council as the need is identified.
- r. Details and operations of the committees pertaining to Standing Orders 4(n) to 4(r) are more fully explained with direct reference to the current version of Prestatyn Town Council Committees Standard Terms of Reference document, current version of Prestatyn Town Council Committee Table and the current version of Prestatyn Town Council Committees Organisation Chart.

5. Ordinary council meetings

- a. In an election year, the annual meeting of the council shall be held on or within 14 days following the day on which the new councillors elected take office.
- b. In a year which is not an election year, the annual meeting of a council shall be held on a Wednesday in May.
- c. The annual meeting of Prestatyn Town Council shall take place at 6.15pm.
- d. In addition to the annual meeting of the council, other ordinary meetings will be normally held on a Wednesday in the month at 6.15pm apart from August and December when there will be a recess.
- e. The first business conducted at the annual meeting of the council shall be the election of the Mayor/Chair and Vice-Chair (if any) of the Council.
- f. The Mayor/Chair of the Council, unless they have resigned or become 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-Chair of the Council, if any, unless they resign or become disqualified, shall hold office until immediately after the election of the Mayor/Chair of the Council at the next annual meeting of the council.
- h In an election year, if the current Mayor/Chair of the Council has not been re-elected as a member of the council, they shall preside at the meeting until a successor Mayor/Chair of the Council has been elected. The current Mayor/Chair of the Council shall not have an original vote in respect of the election of the new Mayor/Chair 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 Mayor/Chair of the Council has been re-elected as a member of the council, they shall preside at the meeting until a new Mayor/Chair of the Council has been elected. They may exercise an original vote in respect of the election of the new Mayor/Chair of the Council and must give a casting vote in the case of an equality of votes.
- j Following the election of the Mayor/Chair of the Council and Vice-Chair (if any) of the Council at the annual meeting of the council, the business of the annual meeting shall be as follows:
 - i. In an election year, delivery by the Mayor/Chair of the Council and councillors of their acceptance of office forms unless the Council resolves for this to be done later. In a year which is not an election year, delivery by the Mayor/Chair of the Council of their acceptance of office form unless the Council resolves for this to be done later.
 - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council;
 - iii. Receipt of the minutes of the last meeting of a committee;
 - iv. Consideration of the recommendations made by a committee;
 - v. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
 - vi. Review of the terms of reference for committees;
 - vii. Appointment of members to existing committees;
 - viii. Appointment of any new committees in accordance with standing order 4;
 - ix. Review and adoption of appropriate standing orders and financial regulations;
 - x. Review of arrangements (including legal agreements) with other local authorities, not-for-profit bodies and businesses;
 - xi. Review of representation on or work with external bodies and arrangements for reporting back;
 - xii. Review of inventory of land and other assets including buildings and office equipment;
 - xiii. Confirmation of arrangements for insurance cover in respect of all insurable risks;
 - xiv. Review of the Council's and/or staff subscriptions to other bodies;
 - xv. Review of the Council's complaints procedure;
 - xvi. Review of the Council's policies, procedures and practices in respect of its obligations under freedom of information and data protection legislation (*see also standing orders 13, 22 and 23*);

- xvii. Review of the Council's policy for dealing with the press/media;
 - xviii. Review of the Council's employment policies and procedures;
 - xix. Review of the Council's expenditure incurred under s.137 of the Local Government Act 1972 or the power of well-being.
 - xx. Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.
 - xxi. In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.
- k The Annual General meeting and other meetings of the Council for the transaction of general business shall not commence before six o'clock in the evening unless determined otherwise. All meetings shall conclude by 9.00pm unless determined otherwise
- l **At every meeting other than the Annual General Meeting the first business shall be to appoint a Chair if the Chair and Vice-Chair be absent and to receive such declarations of acceptance of office (if any) and undertaking to observe the Council's code of conduct as are required by law to be made or, if not then received, to decide when they shall be received.**
- m After the first business has been completed, the order of business, unless the Council otherwise decides on the ground of urgency, shall be as follows:
- i. **After consideration to approve the signature of the Minutes by the person presiding as a correct record.**
 - ii. **To deal with business expressly required by statute to be done.**
 - iii. To receive such communications as the person presiding may wish to lay before the Council.
 - iv. To answer questions from Councillors provided notice given in accordance with Standing Order 10.
 - v. To receive and consider reports and minutes of committees.
 - vi. To receive and consider resolutions or recommendations in the order in which they have been notified.
 - vii. To authorise the sealing of documents.
 - viii. If necessary to authorise the signing of orders for payment.
- n A motion to vary the order of business on the ground of urgency:
- a) May be proposed by the Chair or by any member and, if proposed by the Chair, may be put to the vote without being seconded, and
 - b) Shall be put to the vote without discussion.

6. Extraordinary meetings of the council

- a The Mayor/Chair of the Council may convene an extraordinary meeting of the council at any time.
- b If the Mayor/Chair of the Council does not or refuses to call an extraordinary meeting of the council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the council. The public notice giving the time, place, and agenda for

such a meeting must be signed by the two councillors.

- c The chair of a committee [or a sub-committee] may convene an extraordinary meeting of the committee [or the sub-committee] at any time.
- d If the chair of a committee [or a sub-committee] does not call an extraordinary meeting within 6 weekdays of having been requested to do so by 3 members of the committee [or the sub-committee], any 3 members of the committee [or the sub-committee] may convene an extraordinary meeting of the committee [or the sub-committee].

7. Previous resolutions

- a A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least 6 councillors to be given to the Proper Officer in accordance with standing order 10 below, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.
- b When a motion moved pursuant to standing order 7(a) above has been disposed of, no similar motion may be moved within a further six months.

8. Voting on appointments

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

9. Appointments

- a. **Relatives of Members or Officials.** If a candidate for any appointment under the Council is to their knowledge related to any member of or the holder of any office under the Council, he/she and the person to whom he/she is related shall disclose the relationship in writing to the Town Clerk. A candidate who fails so to do shall be disqualified for such appointment, and, if appointed, may be dismissed without notice. The Town Clerk shall report to the Council or to the appropriate committee any such disclosure. Where relationship to a member is disclosed, this Standing Order shall apply. **The Town Clerk shall make known the purpose of this Standing Order to every candidate.**
- b. All vacancies to be filled unless filled by promotion or transfer, shall be publicly advertised except where Council otherwise determine. Provided that where, within six

months of filling the vacancy a similar vacancy arises, the Establishment Committee (as determined by AGM) may appoint one of the former applicants.

- c. 1) Canvassing of members of the Council or of any committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Town Clerk shall make known the purpose of this sub-paragraph of this Standing Order to every candidate.
2) A member of the Council or of any committee shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but, nevertheless, any such member may give a written testimonial of a candidate's ability, experience, or character for submission to the Council with an application for appointment.
- d. Interviews for the appointment of Town Clerk shall be undertaken by the Mayor and at least one other councillor as agreed.
- e. The second interview to be undertaken for the posting of Office Manager is to include at least one councillor in conjunction with the Town Clerk/Responsible Financial Officer.

10. Motions for a meeting that require written notice to be given to the Proper Officer

- a. A motion shall relate to the responsibilities of the meeting which it is tabled for and in any event shall relate to the performance of the council's statutory functions, powers and obligations or an issue which specifically affects the council's area or its residents.
- b. No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least 10 clear weekdays before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c. The Proper Officer may, before including a motion on the agenda received in accordance with standing order 10(b) above, correct obvious grammatical or typographical errors in the wording of the motion.
- d. If the Proper Officer considers the wording of a motion received in accordance with standing order 10(b) 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 so that it can be understood at least 10 clear days before the meeting.
- e. If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the Mayor/Chair of the forthcoming meeting or the councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.

- f The decision of the Proper Officer as to whether to include the motion on the agenda shall be final.
- g Motions received shall be recorded and numbered in the order that they are received.
- h Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.
- i If a resolution or recommendation specified in the summons is not moved either by the member who gave notice of it or by any other member, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.
- j If the subject matter of a 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 to such other committee as the Council may determine for report; provided that the Chair, if he considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.
- k **Any expenditure requests by individual councillors must also be requested in advance through the relevant meetings for all members to approve and not advocate such requests through the Town Clerk**

11. Motions at a meeting that do not require written notice

- a The following motions may be moved at a meeting without written notice to the Proper Officer.
 - i. to correct an inaccuracy in the minutes of a meeting.
 - ii. to move to a vote.
 - iii. to defer consideration of a motion.
 - iv. To refer a motion to a particular committee or sub-committee
 - v. to appoint a person to preside at a meeting.
 - vi. to change the order of business on the agenda.
 - vii. to proceed to the next business on the agenda.
 - viii. to require a written report.
 - ix. to appoint a committee or sub-committee and their members.
 - x. to extend the time limits for speaking.
 - xi. to exclude the press and public from a meeting in respect of confidential or sensitive information which is prejudicial to the public interest.
 - xii. to not hear further from a councillor or a member of the public.
 - xiii. to exclude a councillor or member of the public for disorderly conduct.
 - xiv. to temporarily suspend the meeting.
 - xv. to suspend a particular standing order (unless it reflects mandatory statutory requirements).
 - xvi. to adjourn the meeting; or

- xvii. to close a meeting.
- xviii. to approve the Minutes.
- xix. to close or adjourn the debate.
- xx. to adopt a report.
- xxi. to authorise the sealing of documents.
- xxii. to amend a motion.
- xxiii. to give leave to withdraw a resolution or amendment.
- xxiv. to extend the time limit for presentations
- xxv. to give the consent of the Council where such consent is required by these Standing Orders

12. Questions

- a. A Member may ask the Chair of the Council/Committee or Town Clerk any written question concerning the business of Council provided 10 clear weekdays' notice of the question has been given to the person to whom it is addressed.
- b. A Member of the Council may ask the Chair of a Committee any question upon an item of the report of a Committee when that item is under consideration by the Council. With permission of the Chair, put to the Chair of any Committee any question relating to urgent business, of which no such notice has been given; but a copy of such question shall, if possible be delivered to the Town Clerk not later than twelve o'clock in the morning of the day of the meeting
- c. Every question shall be put and answered without discussion, but the person to whom a question has been put may decline to answer.
- d. An answer may take the form of: -
 - i. direct oral answer
 - ii. where the desired information is contained in a publication of the Council, a reference to that publication
 - iii. where the reply to the question cannot conveniently be given orally, written answer to be circulated to the Member/Members of the Council prior to the next meeting or such other time as agreed.

13. Management of Information

See also standing order 23.

- a. **The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.**
- b. **The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this**

is not possible the criteria used to determine that period (e.g., the Limitation Act 1980).

- c The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.
- d Councillors, staff, the Council's contractors, and agents shall not disclose confidential information or personal data without legal justification.
- e 1) 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 declared to be confidential by the Council, the committee, or the sub-committee as the case may be.
2) Any member in breach of the provisions of paragraph (1) of this Standing Order shall be removed from any committee or sub-committee of the Council by the Council.
- f From XX/XX/2023 (DATE TO BE CONFIRMED) Prestatyn Town Council will provide email addresses to all town Councillors for council business matters only.

14. Draft Minutes

- a If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read. Draft minutes from any committee meeting will be circulated to the Chair of that committee within 5 working days of the meeting. Once approved by the Chair, they will be circulated to the members of such committee and published as "Draft Minutes" on the Prestatyn Town Council website within 5 weekdays, followed by being added to the next relevant committee agenda.
- b There shall be no discussion about the minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the minutes shall be moved in accordance with standing order 11(a)(i) above.
- c The accuracy of minutes, including any amendment(s) made to them, shall be confirmed by resolution, and shall be signed by the Mayor/Chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d If the Mayor/Chair 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 Mayor/Chair of this meeting does not believe that the minutes of the meeting of the () held on [date] in respect of () were a correct record but their view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings."

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

15. Code of conduct and dispensations

See also standing order 3(t) above.

- a **Councillors and non-councillors with voting rights shall observe the code of conduct adopted by the council. All members must observe the Code of Conduct which was adopted by the Council on XX/XX/2023 (DATE TO BE CONFIRMED)**
- b Newly Elected and Co-opted Councillors should endeavour to undertake training in the code of conduct within six months of the delivery of their acceptance of office form.
 - i. **Any Councillors required to fulfil the position of Chair must undertake and complete the appropriate course for this post**
 - ii. **All councillors must undertake and complete the Code of Conduct course**
- c **Dispensation requests shall be in writing and submitted to the standards committee of Denbighshire County Council as soon as possible before the meeting that the dispensation is required for.**

16. Code of conduct complaints

- a Upon notification by Denbighshire County Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to standing order 13, report this to the Council.
- b Where the notification in standing order 16(a) relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Mayor/Chair of Council of this fact, and the Mayor/Chair shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined.
- c The Council may:
 - i. provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement.
 - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter.
 - iii. indemnify the councillor or non-councillor with voting rights in respect of their related legal costs and any such indemnity is subject to approval by a meeting of the Council.

- d The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or member in the manner recommended in Circular 2/86 issued by National Association of Local Councils except for those complaints which should be properly directed to the Standards Commission (Wales) for consideration.

17. Proper Officer

- a The Proper Officer shall be either (i) the clerk or (ii) other staff member(s) nominated by the council to undertake the work of the Proper Officer when the Proper Officer is absent.
- b The Proper Officer shall:
- i. **at least three clear weekdays before a meeting of the council, a committee, or a sub-committee:**
 - **serve on councillors by electronic delivery or post at their residences a signed summons confirming the time, place, and the agenda; and**
 - **provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them) and publish electronically notice of the time and place and, as far as reasonably practicable, any documents relating to the business to be transacted at the meeting unless they relate to business which is likely to be considered in private or if their disclosure would be contrary to any enactment.**

See standing order 3(b) for the meaning of clear days for a meeting of a full council and standing order 3(c) for the meaning of clear days for a meeting of a committee.
 - ii. **subject to standing order 10 above, include on the agenda all motions in the order received unless a councillor has given written notice at least 10 days before the meeting confirming their withdrawal of it.**
 - iii. **convene a meeting of full council for the election of a new Mayor/Chair of the Council, occasioned by a casual vacancy in their office.**
 - iv. **facilitate inspection of the minutes of Meetings by local government electors.**
 - v. **receive and retain copies of byelaws made by other local authorities.**
 - vi. **retain acceptance of office forms from councillors.**
 - vii. **retain a copy of every councillor's register of interests.**
 - viii. **assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;**
 - ix. **liaise, as appropriate, with the Council's Data Protection Officer**
 - x. **receive and send general correspondence and notices on behalf of the council except where there is a resolution to the contrary.**
 - xi. **assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the**

- requirements of freedom of information and data protection legislation and other legitimate requirements (e.g. the Limitation Act 1980);
- xii. arrange for legal deeds to be signed by two Councillors and witnessed.
See also standing order 25 below.
 - xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the council in accordance with the council's financial regulations.
 - xiv. record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
 - xv. refer a planning application received by the Council to the [Mayor/Chair or in their absence the Deputy Mayor/Vice-Chair (if there is one) of the Council] OR [Mayor/Chair or in their absence the Deputy Mayor/Vice-Chair (if there is one) of the () Committee] within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of [the Council] OR [() committee];
 - xvi. manage access to information about the council via the publication scheme; and
 - xvii. retain custody of the seal of the council (if any) which shall not be used without a resolution to that effect.
See also standing order 25 below
 - xviii. receive declarations of acceptance of office.
 - xix. receive and record notices disclosing interests at meetings.
 - xx. receive and retain plans and documents.
 - xxi. sign notices or other documents on behalf of the Council.
 - xxii. receive copies of bylaws made by another local authority.
 - xxiii. certify copies of bylaws made by the Council
 - xxiv. sign and issue the summons to attend meetings of the Council.
 - xxv. keep proper records for all Council meetings.

18. Responsible Financial Officer

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

19. Accounts and accounting statements

- a "Proper practices" in standing orders refer to the most recent version of Governance and Accountability for Local Councils in Wales – A Practitioners' Guide.
- b All payments by the council shall be authorised, approved, and paid in accordance with the law, proper practices and the council's financial regulations with the details included in the minutes of the meeting including voucher number.
- c The Responsible Financial Officer shall supply to each councillor as soon as

- practicable after 31 March, 30 June, 30 September, and 31 December in each year at:
- i. Trial Balance Sheet
 - ii. Balance Sheet
 - iii. Quarterly Income/Expenditure Report
 - iv. A copy of the quarterly budget monitoring report which summarises the receipts and payments
 - v. the balances held at the end of the quarter being reported
- d As soon as possible after the financial year end on 31 March, the Responsible Financial Officer shall provide:
- i. each councillor with a statement summarising the council's receipts and payments for the last quarter and the year to date for information; and
 - ii. to the full council the accounting statements for the year in the form of Section 1 of the annual return, as required by proper practices, for consideration and approval.
- e The year-end accounting statements shall be prepared in accordance with proper practices and applying the form of accounts determined by the council (receipts and payments, or income and expenditure) for a year to 31 March. A completed draft annual return shall be presented to each councillor before the end of the following month of May. The annual return of the council, which is subject to external audit, including the annual governance statement, shall be presented to council for consideration and formal approval before 30 June.

20. Financial controls and procurement

- 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 keeping of accounting records and systems of internal controls;
 - ii. the assessment and management of financial risks faced by the Council;
 - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
 - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and
 - v. subject to standing orders 20(e) and (f) whether contracts with an estimated value below £25,000 or due to special circumstances are exempt from a tendering process or procurement exercise .
- b Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of

works shall include, as a minimum, the following steps:

- i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
 - iii. the invitation to tender shall be advertised in a local newspaper and/or in any other manner that is appropriate such as website and noticeboards;
 - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
 - v. tenders over £25,000 shall be opened by the Town Clerk in the presence of at least one councillor after the deadline for submission of tenders has passed;
 - vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
- d Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender
- e **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.**
- f **A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.**
- g In emergency situations the Town Clerk may with approval of Mayor and Chair of Finance and Management Committee take such actions and incur expenditure commensurate to deal with the situation. Any expenditure shall be reported to the next Finance and Management Committee (as determined by AM) and may form the subject of a supplementary estimate.

21. Handling staff matters

- a A matter personal to a member of staff that is being considered by a meeting of council is subject to standing order 13 above.
- b Subject to the council's policy regarding absences from work, the Town Clerk shall notify the Mayor/Chair or, if they are not available, the Vice-Chair of absence occasioned by illness or other reason and that person shall report such absence to Council at its next meeting.
- c Subject to the council's policy regarding the handling of grievance matters, the Town Clerk shall contact the Mayor/Chair or in their absence, the Vice-Chair in respect of an informal or formal grievance matter.
- d Subject to the council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the Town Clerk relates to the Mayor/Chair or Vice-Chair, this shall be communicated to another member of Council.
- e Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance, or disciplinary matters.
- f In accordance with standing order 13(a), persons with line management responsibilities shall have access to staff records referred to in standing order 21(e)
- g. In every year, not later than the meeting at which the estimates for next year are settled, the Council shall review the pay and conditions of service of existing employees unless such conditions are subject of National Joint Councils pay and conditions of service. Standing Order 19(h) must be read in conjunction with this requirement.
- h. 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 not be considered until the Council or committee (as the case may be) has decided whether the press and public shall be excluded.
- i. The Town Clerk oversees and is responsible for all day-to-day operational staff matters. Prestatyn Town Council have an existing contract until 2024 with a HR company who provides the Town Clerk with support, all guidelines, policies and procedures, which are required to meet the legal requirements, thus ensuring matters are dealt with correctly.
- j. The Town Clerk will recruit all staff with the assistance of the Office Manager. However, the Town Clerk will invite one councillor to sit in on second interviews for the Office Manager's appointment to offer support.
- k. All recruitment and matters relating to the Town Clerk will be dealt with through the Resource and Appeals Committee.

22. Responsibilities to provide Information

See also standing order 23.

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

23. Responsibilities under Data Protection Legislation

See also standing order 13.

- a The Council shall appoint a Data Protection Officer.
- b The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning their personal data.
- c The Council shall have a written policy in place for responding to and managing a personal data breach.
- d The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.
- e The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.
- f The Council shall maintain a written record of its processing activities.

24. Relations with the press/media

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

25. Execution and sealing of legal deeds

See also standing orders 19(b)(xii) and (xvii) above.

- a A legal deed shall not be executed on behalf of the council unless authorised by a resolution.
- b Subject to standing order 25(a) above, any two councillors may sign on behalf of the council, any deed required by law and the Proper Officer shall witness their signatures.

26. Communicating with County Councillors

- a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the ward councillor(s) of the County Council representing the area of the Council.
- b Unless the Council determines otherwise, a copy of each letter sent to the County Council shall be sent to the ward councillor(s) representing the area of the Council.

27. Restrictions on councillor activities

- a. Unless authorised by a resolution, no councillor shall:
 - i. inspect any land and/or premises which the council has a right or duty to inspect; or
 - ii. issue orders, instructions, or directions, unless authorised to do so by the Council or the relevant committee or sub-committee.

28. Standing orders generally

- a All or part of a standing order, except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b A motion to add to or vary or revoke one or more of the council's standing orders, except one that incorporates mandatory statutory requirements, shall be proposed by a special motion, the written notice by at least two thirds' councillors to be given to the Proper Officer in accordance with standing order 10 above.
- c The Proper Officer shall provide a copy of the council's standing orders to a councillor as soon as possible after they have delivered their acceptance of office form.
- d The decision of the Mayor/Chair of a meeting as to the application of standing orders at the meeting shall be final.

END OF DOCUMENT

Annual Document Review Table

Review Date	Committee Name	Approved/Amended	Minute Number