



PRESTATYN TOWN COUNCIL

STANDING ORDERS

2025

REVIEWED AND UPDATED BY PRESTATYN TOWN COUNCIL POLICY REVIEW
COMMITTEE IN SEPTEMBER/NOVEMBER 2025

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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- c. A motion on the agenda that is not moved by its proposer may be treated by the Mayor/Chair of the meeting as withdrawn.
- d. If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.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:
 - (a) to speak on an amendment moved by another councillor
 - (b) to move or speak on another amendment if the motion has been amended since they last spoke.
 - (c) to make a point of order.
 - (d) to give a personal explanation; or
 - (e) 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:
 - (a) to amend the motion
 - (b) to proceed to the next business.
 - (c) to adjourn the debate.
 - (d) to put the motion to a vote.
 - (e) to ask a person to be no longer heard or to leave the meeting.
 - (f) to refer a motion to a committee or sub-committee for consideration.
 - (g) to exclude the public and press.
 - (h) to adjourn the meeting; or
 - (i) 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.

2. Disorderly Conduct 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 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.**

- e. Members of the public may make representations, answer questions, and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda [unless doing so is likely to prejudice the effective conduct of the meeting. This does not mean that members of the public can take part in debate, but they must be given a reasonable opportunity to make representations about business to be discussed.]
- f. The period designated for public participation shall last for 5 minutes, with the Mayor/Chair having discretion to extend it to 10 minutes. Subject to standing order 3(e) above, a member of the public shall not speak for more than **5** minutes. 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. In accordance with standing order 3(e) above, a question may 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.
- h. 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.
- i. A person who speaks at a meeting shall direct their comments to the Mayor/Chair of the meeting.
- j. 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.
- k. **Photographing, recording, broadcasting, or transmitting the proceedings of a meeting by any means is not permitted without the Council’s prior written consent.**
- l. **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.**
- m. **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).**

- n. **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.**
- o. The person presiding at a meeting may exercise all the powers and duties of the Chair in relation to the conduct of the meeting.
- p. **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.**
- q. **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 below for the different rules that apply in the election of the Mayor/Chair of the Council at the annual meeting of the council.

- r. **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.**
- s. 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, *[any]* submitted apologies and the names of the councillors absent
 - 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
 - vii. The resolutions made

- t. **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.
- u. **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 three.**

See standing order 4 below for the quorum of a Standing Committee or sub committee meeting.

- v. **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.
- w. A meeting shall not exceed a period of **3 hours**.
- x. 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.
- y. 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. Failure to do so will result in that councillor's absence being recorded as non-attendance, subject to the right to appeal detailed in Section 3 (yi) below.
 - i. If a councillor's absence is due to unforeseen circumstances (e.g. sudden illness or injury, transport delays outside of their control, etc), they may submit apologies at the earliest opportunity for consideration by the Proper Officer.
- z. 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', if included, should 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'. Any urgent matters arising will be included at the top of the next agenda.

4. Committees & Sub-Committees

- a. **Unless the 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 Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**
- d. Non-committee members are regarded as observers and may not comment during committee meetings, unless the Chair has agreed beforehand.
- e. 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 the 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), appoint and determine the terms of office of members of such a committee
 - v. May, subject to standing orders 4(b) and (c), appoint and determine the terms of office of substitute members to a committee, should the committee member have need to leave the committee and be replaced (e.g. in the event of a death, legal disgrace, public election, etc).
 - 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, in both cases, 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 also 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
- xii. May dissolve a committee or a sub-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 addressed. This subcommittee will dissolve once all appropriate matters have been resolved and recommendations reported back to Full Council.
- f. A Chair and Vice-Chair, as needed, may be elected at the Annual General Meeting of the Council or, if circumstances require, a committee shall elect a Chair and may elect a Vice-Chair at its first meeting who shall hold office until the next AGM.
- g. The Chair of a committee or the Chair of the Council may summon an additional meeting of that committee at any time, **with a notice period of 3 working days**. The summons shall set out the business to be considered at the special meeting.
- h. A 'working group' committee meeting may be held as required, without notice to the full council, to allow committee members to meet informally as needed to discuss items in further depth or address new topics as they occur.
- i. The Standing Orders on rules of debate 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 a show of hands.
- k. Chairs 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 at least quarterly.
- o. Prestatyn Town Council shall appoint a Community Development and Regeneration standing committee, which will meet at least quarterly.
- p. Prestatyn Town Council shall appoint a Policy Review Committee, which will meet at least once annually and at other times as 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.

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 councillors elected take office.**
- b. **In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.**
- c. **If no other time is fixed, the annual meeting of the Council shall take place at 6pm.**
- d. **In addition to the annual meeting of the Council, any number of other ordinary meetings may be held in each year on such dates and times as the Council decides.**
- 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 General Meeting (AGM) of the council, the business of the annual meeting shall be as follows:
 - a. **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.**
 - b. Confirmation of the accuracy of the minutes of the last meeting of the Council.
 - c. Any other business due to be considered at a May Council meeting.
 - d. Review of delegation arrangements to committees, sub-committees, staff and other local authorities.
 - e. Review of the terms of reference for committees and appointment of members to existing committees.
 - f. Appointment of any new committees in accordance with Standing Order 4.
 - g. Review and adoption of appropriate standing orders and financial regulations.
 - h. Review of arrangements (including legal agreements), if deemed necessary, with other local authorities, not-for-profit bodies and businesses.
 - i. Review of the Council's policies and procedures, as needed.
 - j. Determining the time and place of ordinary meetings of the Council up to and including the next annual meeting of the Council.

- k. In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.
- k. At every meeting other than the AGM the first business shall be to appoint a Chair, if the Chair and Vice-Chair are absent. Following this, business considered shall be confirmation of the accuracy of the minutes of the last meeting of the Council, and then to deal with any business expressly required by statute to be done.

6. Extraordinary Meetings of the Council, Committees and Sub-Committees

- a. **The Chair of the Council may convene an extraordinary meeting of the Council at any time.**
- b. **If the Chair of the Council does not call an extraordinary meeting of the Council within 7 days of having been requested in writing to do so by 2 councillors, any 2 councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall 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, with a notice period of at least 3 working days.
- d. If the chair of a committee or a sub-committee does not call an extraordinary meeting within **7 days** of having been requested to do so by **2 members** of the committee or the sub-committee, any **2 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 for 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. The Town Clerk shall report to the Council or to the appropriate committee any such disclosure.
- b. All vacancies to be filled, unless filled by promotion or transfer, shall be publicly advertised except where the Council otherwise determines.
- c. 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.
- d. 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.
- e. Interviews for permanent staff members shall be undertaken by at least two councillors. When recruiting agency staff to fill a temporary void or in the case of promotions or transfers, the presence of the mayor and/or the Chair of the Finance & Management Committee will suffice.

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 or the Chair / Vice-Chair of the forthcoming meeting to consider whether the motion shall be included in the agenda or rejected. The decision of the Chair as to whether to include the motion on the agenda shall be final.
- f. Councillors may submit items onto an agenda subject to the above provisions. Where an item is rejected on reasonable grounds (e.g. agenda too full, subject believed to be more relevant of consideration elsewhere, such as a committee), the rejected motion will be noted in the minutes of the meeting along with its reasoning, and a full explanation provided to the councillor beforehand.
- 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.

11. Motions (Meeting) Not Requiring Written Notice

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

12. 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. Such data will include recordings of meetings held by the Council.**
- 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. **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.**

13. 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.
- b. There shall be no discussion about the minutes of a preceding meeting except in relation to their accuracy.
- 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.
- f. **No later than seven working days of a council meeting, the council must publish electronically a note setting out:**
 - i. **The names of the members who attended the meeting, and any apologies for absence**
 - ii. **Any declarations of interest**
 - iii. **Any decisions taken at the meeting, including the outcomes of any votes**
 - iv. **The requirements regarding the note to be published after a council meeting do not apply for private business or where disclosure would be detrimental to acting on those decisions**

14. 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.**
- b. All councillors and non-councillors with voting rights should endeavour to undertake training in the code of conduct within six months of the delivery of their acceptance of office form.
- 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.

15. 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 **Town** 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.

16. 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:

At least three clear days before a meeting of the council, a committee, or a sub-committee:

- i. Arrange for the serving of the notice of a meeting (including how the meeting may be accessed virtually if applicable) and publish this electronically and in a conspicuous place in the community at least three clear days before the meeting. If the meeting is convened at shorter notice, at the time it is convened.
- ii. 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.
- iii. If a member wants to receive the summons in writing rather than electronically, they must give notice in writing to the clerk and specify the postal address to which the summons should be sent

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 **5 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 (if applicable)
- 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 executed.

See also Standing Order 25.

- 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 or file for such purpose.
- xv. Refer a planning application received by the Council to the Chair or in their absence the Vice-Chair of Town Planning 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 Town Planning committee.
- xvi. Manage access to information about the council via the publication scheme
- xvii. Retain custody of the seal of the council (if any) which shall not be used without a resolution to that effect
- xviii. Keep proper records for all Council meetings

17. 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.

18. Accounts & 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.
- 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 a statement to summarise:
 - i. The Council’s receipts and payments (or income and expenditure) for each quarter
 - ii. Bank reconciliation statement
 - iii. The balances held at the end of the quarter being reported and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends
- 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.
 - ii. To the full council the accounting statements for the year in the form of the appropriate section 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.

19. Financial Controls & 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.
 - v. 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. **A public contract with an estimated value in excess of £25,000 but less than the relevant thresholds referred to in standing order 20(f) is subject to the "light touch" arrangements under Regulations 109-114 of the (former) Public Contracts Regulations 2015 unless it proposes to use an existing list of approved suppliers (framework agreement).**
- d. 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, 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 shall be opened by the Proper Officer 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.
- e. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender or any tender.
- f. **Where the value of a contract is likely to exceed the threshold specified by the Office of Government Commerce from time to time, the Council must consider whether the Public Contracts Regulations 2015 or the Utilities Contracts Regulations 2016 apply to the contract and, if either of those Regulations apply, the Council must comply with procurement rules.**

20. Handling Staff Matters

- a. A matter personal to a member of staff that is being considered by a meeting of council or relevant committee is subject to Standing Order 13 above.
- b. Subject to the council's policy regarding absences from work, the Council's most senior member of staff shall notify the Mayor/Chair or, if they are not available, the Vice-Chair of absence occasioned by illness or other reason. All such absences shall be reported to the Council or relevant committee at its next meeting.
- c. In every year and not later than the meeting at which the estimates for next year are settled, annual staff reviews and appraisals shall be conducted by the Proper Officer. Any performance, training or other concerns and issues should be discussed at this time. The pay and conditions of service of the employee shall be reviewed, unless such conditions are subject of National Joint Councils pay and conditions of service. Any issues or problems will be reported to the Chair of the Finance & Management Committee and passed to the committee in full if they remain unresolved.
- d. Additional staff performance reviews or capability assessments may take place at any time by the Proper Officer or at the Finance & Management Committees' discretion.

- e. Subject to the council's policy regarding the handling of grievance matters, the Chair and appropriate committee or sub-committee should be made aware of any informal or formal grievance matters.
- f. 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 the appropriate committee.
- g. 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.
- h. In accordance with standing order 13(a), persons with line management responsibilities shall have access to staff records.
- i. Any question relating to the appointment, conduct, promotion, dismissal, salary, or conditions of service of any person employed by the Council, shall not be considered except by the appropriate committee.
- j. The Town Clerk oversees and is responsible for all day-to-day operational staff matters. Prestatyn Town Council have an existing contract with a HR company that is under review.
- k. Recruitment for permanent staff will involve the Chair of the Finance & Management Committee, the Town Clerk (or, if absent due to illness / annual leave or a conflict of interest, the next most senior staff member) and at least one other councillor.
- l. Interviews for staff members shall be undertaken by at least two councillors. When recruiting agency staff to fill a temporary void or in the case of promotions or transfers, the presence of the mayor and/or the deputy mayor will suffice.
- m. All recruitment and other matters relating to the Town Clerk will be dealt with through the Finance & Management Committee or the Resource and Appeals Committee.

21. 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.**

22. Responsibilities under Data Protection Legislation

See also Standing Order 13

- a. The Council may appoint a Data Protection Officer or assign responsibility for this area to a nominated member of staff.
- 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.**

23. 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 Press & Media Policy.

24. Execution & 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.**

25. 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.

26. 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
 - ii. Issue orders, instructions, or directions
 - iii. Make statements on behalf of the council or regarding council matters not within the public domain, subject to the council's Press & Media Policy.

27. 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.
- 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

VERSION UPDATES

Review Date	Committee Name	Approved/Amended	Minute Number
03.05.2023	AGM	17 Cllrs	11
07.07.2025	-	-	-
04.09.2025	Policy Review Committee	-	-
07.11.2025	Policy Review Committee	3 Cllrs	-
12.11.2025	Full Council	14 Cllrs	82

AMENDMENTS MADE

Review Date	Details of Changes
04.09.2025	Review of whole document
07.11.2025	Section 4 (d) inserted whole Section 4 (h) inserted whole Sections 20 (l) and 20 (e) – words inserted