



Knutsford Town Council

Standing Orders

Version: April 2017

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Any reference in these orders to the feminine gender shall be taken to include the masculine and any reference to the masculine gender shall be taken to include the feminine.

Meetings

1. Meetings of the Council shall be held in each year on such dates and times and at such place as the Council may direct.

ANNUAL COUNCIL MEETING

2. **In an election year the Annual Council Meeting shall be held on or within 14 days following the day on which the councillors are elected take office**
3. **In a year which is not an election year shall be held on such day in May as the Council may direct.**
4. **In addition to the Annual Meeting at least three other meetings shall be held in each year.**

CHAIRMAN OF THE MEETING

5. **The person presiding at a meeting may exercise all the powers and duties of the Town Mayor in relation to the conduct of the meeting.**

PROPER OFFICER

6. Where a statute, regulation or order confers function or duties on the proper officer of the Council in the following cases, he shall be the Town Clerk or nominated officer:



- a) To receive declarations of acceptance of office.
- b) To receive and record notices disclosing pecuniary and non-pecuniary interests.
- c) To receive and retain plans and documents.
- d) To sign notices or other documents on behalf of the Council.
- e) To receive copies of bylaws made by a District Council.
- f) To certify copies of bylaws made by the Council.
- g) To sign summons to attend meetings of the Council.
- h) To keep proper records for all Council meetings.

QUORUM OF THE COUNCIL

- 7. **Three members or one-third of the total membership, whichever is the greater, shall constitute a quorum. (One third of membership is 5)**
- 8. If a quorum is not present or if during a meeting the number of councillors present falls below the required quorum (the quorum does not include those temporarily debarred by virtue of a pecuniary interest), the meeting shall be adjourned and business not transacted shall be transacted at the next meeting or on such other day as the Town Mayor/Chairman may fix.
- 9. For a quorum relating to a committee or sub-committee, please refer to Standing Order 65. Standing Order 8 shall also apply to all committees.

VOTING

- 10. Members shall vote by show of hands or, if at least two members so request, by signed ballot.
- 11. **If a member so requires, the Town Clerk shall record the names of the members who voted on any question so as to show whether they voted for or against it. Such a request may be made before or after the vote but in any event before moving on to the next business.**
- 12. **Subject to (a) and (b) below the Town Mayor may give an original vote on any matter put to the vote, and in any case of an equality of votes may give a casting vote whether or not he gave an original vote.**
 - a) **If the person presiding at the annual meeting would have ceased to be a member of the council but for the statutory provisions which preserve the membership of the Town Mayor and Deputy Town Mayor until the end of their term of office he may not give an original vote in an election for Town Mayor.**

- b) **The person presiding must give a casting vote whenever there is an equality of votes in an election for Town Mayor.**

ORDER OF BUSINESS

13. **At each Annual Council Meeting the first business shall be:**
- a) **To elect a Town Mayor of the Council**
 - b) **To receive the Town Mayor's declaration of acceptance of office or, if not then received, to decide when it shall be received.**
 - c) **In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.**
 - d) To elect a Deputy Town Mayor of the Council.
 - e) To receive the Deputy Town Mayor's declaration of acceptance of office or, if not then received, to decide when it shall be received.
 - f) To formally appoint the Mayor's Cadet and invest them with their badge of office
 - g) **In the ordinary year of election of the Council to confirm the Council meets the requirements to exercise the General Power of Competence**
 - h) To appoint representatives to outside bodies.
 - i) To appoint committees and sub-committees.

and shall thereafter refer to Standing Order 16

14. **At every meeting other than the Annual Council Meeting the first business shall be to appoint a chairman if the Town Mayor and Deputy Town Mayor be absent and to receive such declarations of acceptance of office (if any) as are required by law to be made, or if not then received, to decide when they shall be received.**
15. 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. Standing Order 47 must be read in conjunction with this requirement.
16. After the first business has been completed, the order of business, unless the Council otherwise decides on the ground of urgency, shall, if necessary, include the following:
- a) To read and consider the minutes; provided that if a copy has been circulated to each member not later than the day of issue of the summons to attend the meeting, the Minutes may be taken as read.
 - b) **After consideration to approve the signature of the minutes by the person presiding as a correct record.**
 - c) **To deal with business expressly required by statute to be done.**
 - d) **To decide when any declarations of acceptance of office and written undertakings to comply with the Code of Conduct (Annex A) adopted by the Council which have not been received as provided by law shall be received**
 - e) To answer questions from Councillors.

- f) To receive and consider reports and minutes of committees.
- g) To receive and consider resolutions or recommendations in the order in which they have been notified.
- h) To authorise the sealing of documents.
- i) If necessary, to authorise the signing of orders for payment.

URGENT BUSINESS

- 17. The chairman may, at their discretion, alter the order of business as specified on the agenda. In addition, a motion to vary the order of business on the grounds of urgency may be proposed by any member and after being seconded shall be put to the vote without discussion.

RESOLUTIONS MOVED ON NOTICE

- 18. Except as provided by these Standing Orders, no resolution may be moved unless the business to which it relates has been put on the agenda by the Town Clerk or the mover has given notice in writing (notice of motion) of its terms and has delivered the notice to the Town Clerk at least 6 working days prior to the next meeting of the Council.
- 19. The Town Clerk shall insert in the summons for every meeting all notices of motion or recommendation properly given in the order in which they have been received unless the member giving a notice of motion has stated in writing that he intends to move at some later meeting or that he withdraws it.
- 20. The Town Clerk may before including a motion on the agenda correct obvious grammatical or typographical errors in the wording of the motion. If the Town Clerk considers the wording of a motion received is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing so that it can be understood at least 5 clear days before the meeting.
- 21. If the wording or subject of a proposed motion is considered improper, the Town Clerk shall consult with the chairman of the forthcoming meeting, or as the case may be, the councillors who have convened the meeting to consider whether the motions shall be included in the agenda or rejected.
- 22. 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.



23. 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 Chairman, 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.
24. Every resolution or recommendation shall be relevant to some subject over which the Council has power or duties which affects its area.

RESOLUTIONS MOVED WITHOUT NOTICE

25. Resolutions dealing with the following matters may be moved without notice:
 - a) To appoint a Chairman of the meeting
 - b) To correct the minutes
 - c) To approve the minutes
 - d) To alter the order of business
 - e) To proceed to the next business
 - f) To close or adjourn the debate
 - g) To refer a matter to a committee
 - h) To appoint a committee or any members thereof
 - i) To adopt a report
 - j) To authorise the sealing of documents
 - k) To amend a motion
 - l) To give leave to withdraw a resolution or amendment
 - m) To extend the time limit for speeches
 - n) To exclude the public. (see Standing Order 93)
 - o) To silence or eject from the meeting a member named for misconduct. (see Standing Order 40)
 - p) To give the consent of the Council where such consent is required by these Standing Orders.
 - q) To suspend any Standing Order. (see Standing Order 113 below)
 - r) To adjourn the meeting.

QUESTIONS

26. A member may ask the Town Mayor or The Town Clerk any question concerning the business of the Council. The Town Mayor or Town Clerk may respond immediately or within an agreed timescale.
27. No questions not connected with business under discussion shall be asked except during the part of the meeting set aside for questions.

28. Every question shall be put and answered without discussion.
29. A person to whom a question has been put may decline to answer.

DRAFT MINUTES

30. 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
31. There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with Standing Order 25C
32. The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.
33. If the chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:

“The chairman of this meeting does not believe that the minutes of the meeting of the () held on [date] in respect of () were a correct record but his view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”

34. Following the preparation of draft minutes, The Town Clerk shall issue them to the relevant chairman for comment prior to publication in draft form on the council's website.

RULES OF DEBATE

35.
 - a) A resolution or amendment shall not be discussed unless it has been proposed and seconded, and, unless proper notice has already been given, it shall, if required by the Town Mayor/Chairman, be reduced to writing and handed to him before it is further discussed or put to the meeting.

- b) A member when seconding a resolution or amendment may, if he then declares his intention to do so, reserve his speech until a later period of the debate.
- c) A member shall direct his speech to the question under discussion or to a personal explanation or to a question of order.
- d) No speech by a mover of a resolution shall exceed 5 minutes and no other speech shall exceed 5 minutes except by consent of the Council.
- e) An amendment shall be either to:
 - i. leave out words.
 - ii. leave out words and insert others
 - iii. insert or add words.
- f) An amendment shall not have to effect of negating the resolution before the Council.
- g) If an amendment be carried, the resolution, as amended, shall take the place of the original resolution and shall become the resolution upon which any further amendment may be moved.
- h) A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
- i) The mover of a resolution or of an amendment shall have a right of reply, not exceeding 5 minutes.
- j) A member may make a point of order or a personal explanation. A member stating verbally 'point of order' or 'personal explanation' shall be heard forthwith. A personal explanation shall be confined to some material part of a former speech by him which may have been misunderstood.
- k) A motion or amendment may be withdrawn by the proposer with the consent of the Council, which shall be signified without discussion, and no member may speak upon it after permission
- l) has been asked for its withdrawal unless such permission has been refused.
- m) When a resolution is under debate no other resolution shall be moved except the following:
 - i. To amend the resolution.
 - ii. To proceed to the next business.
 - iii. To adjourn the debate.
 - iv. That the question be now put.
 - v. That a member named be not further heard.

- vi. That a member named do leave the meeting.
- vii. That the resolution be referred to a committee.
- viii. To exclude the public and press.
- ix. To adjourn the meeting.

36.

- a) The ruling of the Town Mayor/Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed.
- b) Members shall address the Town Mayor/Chairman.
- c) If two or more members wish to speak, the Town Mayor/Chairman shall call upon one of them to speak first, the others shall be a called in turn.
- d) Whenever the Town Mayor/Chairman invites a Member to speak during a debate all other members shall be seated and silent.

CLOSURE

37. 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 Town Mayor/Chairman shall put the motion but, in the case of a motion “that the question be now put”, only if he is of the opinion that the question before the Council has been sufficiently debated.

If the motion “that the question be now put” is carried, he 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.

DISORDERLY CONDUCT

38. **All members must behave in a manner required by the Code of Conduct which was adopted by the council on 8 October 2012, a copy of which is annexed to these Standing Orders.**
39. No member shall at a meeting persistently disregard the ruling of the Chairman, wilfully obstruct business, or behave irregularly, offensively, improperly or **in such a manner as to bring the Council into disrepute. 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 in line with the code of conduct.**



40. If, in the opinion of the chairman, a member has broken the provisions of Standing Orders 38 or 39, the chairman shall express that opinion to the meeting and thereafter any member may move that the member named be no longer heard or that the member named do leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
41. If either of the motions mentioned in paragraph 40 is disobeyed, the chairman may suspend the meeting or take such further steps as may reasonably be necessary to enforce them.

RIGHT OF REPLY

42. The mover of a resolution shall have a right to reply immediately before the resolution is put to the vote. If an amendment is proposed the mover of the amendment shall be entitled to reply immediately before the amendment is put to the vote. A member exercising a right of reply shall not introduce a new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

ALTERATION OF RESOLUTION

43. A member may, with the consent of the seconder; move amendments to his/her own resolution.

RESCISSION OF PREVIOUS RESOLUTION

44. A decision (whether affirmative or negative) of the Council shall not be reversed within six months except either by a special resolution, the written notice whereof bears the names of at least 5 members of the Council, or by a resolution moved in pursuance of the report or recommendation of a committee.
45. When a special resolution or any other resolution moved under the provisions of Standing Order 44 has been disposed of, no similar resolution may be moved within a further six months.

VOTING ON APPOINTMENTS

46. Where more than two persons have been nominated for any position to be filled by the Council and of the votes given there is not an absolute majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken, and so on until a majority of votes is given in favour of one person.
- a) in the event there is no casting vote available then the matter shall be decided by the toss of a coin.

DISCUSSIONS AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL

47. 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 or not the public shall be excluded. (see Standing Order 93)

RESOLUTIONS ON EXPENDITURE

48. Any resolution (which is moved otherwise than in pursuance of a recommendation of the Finance Committee or of another committee after recommendation by the Finance Committee) and which, if carried, would, in the opinion of the chairman 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, and any committee affected by it shall consider whether it desires to report thereon (and the Finance Committee shall report on the financial aspect of the matters).

INQUORATE MEETINGS

49. If a meeting is inquorate and a decision must be made prior to the next scheduled meeting consideration must be given to calling an additional meeting.

If:

- a) It is not possible to hold a quorate meeting within the required timescale AND

- b) a decision will incur costs of less than £1,000 within a budget line OR less than £500 within an overall budget AND
- c) a decision does not require a risk assessment as set out in Financial Regulations

the Town Clerk shall have delegated authority to make any necessary decisions having taken soundings from committee members. Such action shall be reported back to the next scheduled committee meeting and Council meeting.

If the conditions under (b) and (c) are not met, the decision shall be referred to the Urgency Committee for a decision. Such decisions shall be reported to the appropriate committee and Council meeting.

Handling Confidential or Sensitive Information

- 50. The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential or sensitive information which for special reasons would not be in the public interest.
- 51. Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.

Expenditure

- 52. All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's Financial Regulations
- 53. Payments shall not be made prior to authorisation either by Council, the Finance Committee or in accordance with delegated authority to the Town Clerk as set out in Financial Regulations.
- 54. All payments authorised by the Finance Committee shall be presented to the next ordinary meeting of the Council for noting.
- 55. All payments authorised by the Town Clerk shall be detailed in the schedules of payments presented to the next Council or Finance Committee and annotated to indicate that they have been made.

Sealing of Documents

- 56. A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution.

57. Subject to Standing Order 56, the council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of two councillors who shall sign as witnesses.

Committees and Sub Committees

58. The Council may at its Annual Meeting appoint standing committees and may at any other time appoint such other committees as are necessary clearly defining roles of the committees and any delegated powers, but subject to any statutory provision on that behalf:
- a) Shall not appoint any member of a committee so as to hold office later than the next Annual Meeting
 - b) Each Town Council ward must have at least one representative assigned to each committee although it is not a requirement that each ward be represented at every meeting
 - c) May appoint persons other than members of the Council to any Committee
 - d) May, subject to the provisions of Standing Order 38 above, at any time dissolve or alter the membership of committee.
59. The Town Mayor and Deputy Town Mayor ex-officio shall be members of every committee; for the sake of clarity this is to allow them voting rights at all committees either or both may attend.
60. Every committee shall at its first meeting before proceeding to any other business, elect a Chairman and may elect a Deputy-Chairman who shall hold office until the next Annual Meeting of the council.

In the event that there is no casting vote available then the matter shall be decided by the toss of a coin.

The Town Mayor shall not be elected as Chairman or Deputy-Chairman of any committee save with the express approval of the Council given on consideration of a report from the committee setting out the exceptional reasons justifying the election.

SPECIAL MEETING

61. The Chairman of a committee or the Town Mayor 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 a quarter of the members of the committee. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.

REPORTING TO COUNCIL

62. The minutes of committee meetings shall be presented to the next practicable meeting of the Council where members may ask the Chairman of the committee to report further on the proceedings of the same.

SUB-COMMITTEES

63. Every committee may appoint sub-committees for purposes to be specified by the committee.
64. The Chairman and Vice-Chairman of the committee shall be members of every sub-committee appointed by it unless they signify that they do not wish to serve, with the exception of a sub-committee of the Personnel Committee where the Chairman will normally not be a member of the committee so as to allow an impartial appeal.
65. Except where ordered by the Council in the case of a committee, or by the Council or by the appropriate committee in the case of a sub-committee, the quorum of a committee or sub-committee shall be one-half of its members, noting that the general rule under Standing Order 7 also applies.
66. The Standing Orders on rules of debate and the Standing Order on interests of members in contracts and other matters shall apply to committee and sub-committee meetings.
67. Without prejudice to the powers of committees under Standing Order 63, the Council may direct a committee whether in its terms of reference or otherwise to establish a sub-committee for the purposes specified by the Council. For the avoidance of doubt, the power of the Council under this standing order to direct a committee to establish a sub-committee also applies to the establishment of Working Parties or Groups by committees.

ADVISORY COMMITTEES

68. The Council may create advisory committees, whose name, and number of members and the bodies to be invited to nominate members shall be specified.
69. The Clerk shall inform the members of each advisory committee of the terms of reference of the committee.
70. An advisory committee may make recommendations and give notice thereof to the Council
71. An advisory committee may consist wholly of persons who are not members of the Council.

VOTING IN COMMITTEES

72. Members of committees and sub-committees entitled to vote (see relevant terms of reference) shall by show of hands, or, if at least two members so request, by signed ballot.
73. **Chairman of committees and sub-committees shall in the case of an equality of votes have a second or casting vote.**

PRESENCE OF NON-MEMBERS OF COMMITTEES AT COMMITTEE MEETINGS

74. A member who has proposed a resolution which has been referred to any committee of which he is not a member, may explain his/her resolution to the committee but shall not vote.
 - a) Except as otherwise provided by the Terms of Reference of a committee, any member of the council may attend any committee or sub-committee of the council of which they are not a member.

A member attending under this standing order may speak, but not vote. A resolution passed under Standing Order 93 excluding the press and public from a meeting shall not apply to a member attending under this standing order.

TERMS OF REFERENCE OF COMMITTEES AND WORKING GROUPS

- b) Unless the council at any time determines to the contrary, the Committees of the council to be appointed in each year shall be the

Emergency
Environment & General Purposes



Finance
Assets & Operations
Events & Town Centre Management
Personnel
Planning & Licensing
Urgency

committees. These committees shall have the matters referred to them, the delegated powers and be constituted in the manner described in the Terms of reference contained in Annex B to these Standing Orders.

- c) All working groups established by the Council or a committee shall have a terms of reference in the format as prescribed by Appendix C.

Accounts and Financial Statement

75. The Responsible Financial Officer shall supply to each member at the ordinary meeting next after the end of the Financial Year a Financial statement of receipts and payments for the Council.

Estimates / Precepts

76. The council shall approve written estimates for the coming financial year at its meeting at the first meeting in January.
77. Any committee desiring to incur expenditure shall give the Clerk a written estimate of the expenditure recommended for the coming year no later than the end of October.

ANNUAL BUDGET AND PRECEPT SETTING PROCESS

78. Ordinarily in line with the terms of reference of committees, those committees with budget responsibilities will meet to produce a recommendation to Finance Committee as to their budget requirements by the end of October, such that Finance Committee can meet ordinarily in November to review a consolidated budget and make a precept recommendation to the Town Council prior to the deadline for precept submissions (normally late January).

The Finance Committee may at the outset of the process each year agree revised process timescales to take account of the circumstances pertaining at that time. The Finance Committee must however ensure the timetable allows proper consideration of the budget by Council prior to precept submission deadlines.

For the avoidance of doubt and in a spirit of openness and transparency, the Finance Committee must also submit its own budget request albeit to itself in line with the timetable for all other committees

Code of Conduct and Dispensations

79. **All councillors with voting rights shall observe the code of conduct adopted by the council**
80. A member who has declared a pecuniary interest may remain in the room; **may make a statement of fact on the item but may not participate in discussion or vote on the item under discussion.**
81. **Dispensation requests shall be in writing and submitted to the Proper Officer** as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
82. A decision as to whether to grant a dispensation shall be made by the Proper Officer in consultation with the Mayor or, failing that, the Committee chairman and that decision is final. A dispensation request shall confirm:
- i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - iv. an explanation as to why the dispensation is sought.
83. Subject to Standing Orders 81 and 82, dispensations requests shall be considered by the Proper Officer in consultation with the Mayor or, failing that, the Committee chairman before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required.
84. **A dispensation may be granted in accordance with Standing Order 82 if having regard to all relevant circumstances the following applies:**
- a. **without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business or**
 - b. **granting the dispensation is in the interests of persons living in the council's area or**



c. **it is otherwise appropriate to grant a dispensation.**

85. **The Town Clerk shall hold a copy of the Register of Member's Interests in accordance with instructions received from the Monitoring Officer of the Responsible Authority and/or as required by statute. The registers of Member's Interests will also be published on the Council website.**

86. If a candidate for any appointment under the Council is to his knowledge related to any member of or the holder of any office under the Council, he and the person to whom he 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 purport of this Standing Order to every candidate.

Canvassing of and Recommendations by Members

87. 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 purport of this sub-paragraph of this Standing Order to every candidate.

88. 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.

89. Standing Orders 86, 87 and 88 shall apply to tenders as if the person making the tender were a candidate for an appointment.

Inspection of Documents

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

91. **All minutes kept by the Council and by any committee shall be open for the inspection of any member of the Council.**

The minutes of the Council and its committees shall be open to inspection by any local government elector of the parish without charge.

Unauthorised Activities

92. No member of the Council or of any committee or sub-committee shall in the name of or on behalf of the Council:
- a) Inspect any lands or premises which the Council has a right or duty to inspect; or
 - b) Issue orders, instructions or directions

unless authorised to do so by the Council or the relevant committee or sub-committee.

Admission of the Public and Press to Meetings

93. **The public shall be admitted to all meetings of the Council and its committees and sub-committees, which may, however, temporarily exclude** the public by means of the following resolutions:

“That in view of the [special] [confidential] nature of the business about to be transacted, it is advisable in the public interest that the public be temporarily excluded and they are instructed to withdraw”

94. The Council shall state the special reason for exclusion.
95. At all meetings the Chairman may at his discretion and at a convenient time in the transaction of business, adjourn the meeting so as to allow any members of the public to address the meeting in relation to the business to be transacted at that meeting.
96. With the exception of the Personnel Committee, all Council meetings shall permit an opportunity for time to be allocated to allow members of the public to make statements and ask questions.
97. The Town Clerk shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present.
98. If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that he be removed from the meeting.

Confidential Business

99. 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.
100. Any member in breach of the provisions of paragraph 99 of this Standing Order shall be removed from any committee or sub-committee of the Council.

Requests for Information

101. Requests for information held by the council shall be handled in accordance with the council's policy in respect of handling requests under the Freedom of Information Act 2000 and Data Protection Act 1998.
102. Correspondence from, and notices served by the Information Commissioner shall be referred by the Proper Officer to the chairman of the Personnel Committee and the Town Mayor. The said committee shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000.

Liaison with Borough Councillors

103. A notice of meetings shall be sent together with an invitation to attend to the Borough Councillor for the appropriate ward.
104. Unless the Council otherwise orders, a copy of each letter ordered to be sent to the Borough Council shall be transmitted to the Borough Councillor for the division.

Planning and Licensing Applications

105. The Town Clerk shall, as soon as it is received, enter in a spreadsheet the particulars of every planning or licensing application notified to the Council.
106. The Town Clerk shall refer every planning application received to the next meeting of the Planning and Licensing Committee. The Town Clerk may, having taken soundings from members, respond to any planning application received for consultation which requires a response outside of the Planning and Licensing Committee meeting cycle.
107. Any member of the council may:
 - a) Require the Town Clerk to refer any planning or licensing application to the council rather than to the Planning and Licensing Committee, or
 - b) Require the Planning and Licensing Committee to refer any such application to the Council rather than express an opinion on behalf of the Council under its delegated powers.

Contracts

108. Every contract shall comply with the financial regulations, and no exceptions shall be made other than in an emergency provided that these regulations shall not apply to contracts which relate to items (a) to (f) below:
- a) for the supply of gas, electricity, water, sewerage and telephone services.
 - b) for specialist services such as are provided by solicitors, accountants, surveyors and planning consultants.
 - c) for work to be executed or goods or materials to be supplied which consist of repairs to or parts for existing machinery or equipment or plant
 - d) for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Council;
 - e) for additional audit work of the external Auditor up to an estimated value of £250 (in excess of this sum the RFO shall act after consultation with the Town Mayor and Deputy Mayor of Council);
 - f) for goods or materials proposed to be purchased which are proprietary articles and/or are only sold at a fixed price.

Code of Conduct Complaints

109. Upon notification by Cheshire East 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 Orders 50 and 51 above, report this to the council.
110. Where the notification in Standing Order 109 above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Town Mayor of this fact, and the Town Mayor shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the council has agreed what action, if any, to take in accordance with standing order 112 below.
111. The council may:
- a) provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
 - b) seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
112. **Upon notification by the Cheshire East Council that a councillor or non-councillor with voting rights has breached the council's code of conduct, the council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office**

Variation, Revocation and Suspension of Standing Orders

113. Any or every part of the Standing Orders except those printed in **bold type** may be suspended by resolution in relation to any specific item of business.
114. A resolution permanently to add, vary or revoke a Standing Order shall when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

Standing Orders to be given to Members

115. A copy of these Standing Orders shall be given to each member by the Town Clerk upon delivery to him of the member's declaration of acceptance of office and written undertaking to comply with the Code of Conduct adopted by the Council and at other times when the Standing Orders are amended.
116. These standing orders and in particular the Terms of Reference of Committees shall be reviewed annually at the ordinary meeting of the council next before the Annual Meeting



Annex A: Code of Conduct

The Code of conduct was adopted by the Town Council on 8th October 2012 (Minute 12/096).

Knutsford Town Council has adopted this Code of Conduct to promote and maintain high standards of conduct and underpin public confidence in the authority and its members and co-opted members.

The Code has been adopted under section 27 of the Localism Act 2011 and is based on the following core principles of public life - selflessness, integrity, objectivity, accountability, openness, honesty and leadership. It sets out general obligations about the standards of conduct expected of members and co-opted members of the authority, together with provisions about registering and declaring interests.

A - GENERAL OBLIGATIONS

Whenever you are acting as a member or co-opted member of this authority you must act in accordance with the following obligations:

Selflessness

- 1 You must act solely in the public interest and must never use or attempt to use your position improperly to confer an advantage or disadvantage on any person or act to gain financial or other material benefits for yourself, your family, friends or close associates.

Integrity

- 2 You must not place yourself under a financial or other obligation to outside individuals or organisations that might seek to influence you in the performance of your official duties.

You should exercise independent judgement. Although you may take account of the views of others (including a political group), you should reach your own conclusions on the issues before you and act in accordance with those conclusions.

Objectivity

- 3 When carrying out your public duties you must make all choices, such as making public appointments, awarding contracts or recommending individuals for rewards or benefits, on merit.

You should remain objective, listen to the interests of all parties appropriately and impartially and take all relevant information, including advice from the authority's officers, into consideration.

Accountability

- 4 You are accountable to the public for your decisions and you must co-operate fully with whatever scrutiny is appropriate to your office, including by local residents.

Openness

- 5 (a) You must be open and transparent where possible about your decisions and actions and the decisions and actions of your authority. You should be prepared to give reasons for those decisions and actions. You must not prevent anyone getting information that they are entitled to by law.

(b) Where the law or the wider public interest requires it, you must not disclose confidential information or information to which public access is restricted. (see footnote)

Honesty

- 6 (a) You must declare any private interests, both pecuniary and non-pecuniary, that relate to your public duties and must take steps to resolve any conflicts arising in a way that protects the public interest, including registering and declaring interests as set out in Section B below.

(b) You must only use or authorise the use of the authority's resources in accordance with the authority's requirements. You must, when using or authorising the use by others of such resources, ensure that they are used for proper purposes only. Resources must not be used improperly for political purposes (including party political purposes) and you must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986

Respect for others

- 7 (a) You must treat others with courtesy. You should engage with colleagues and staff in a manner that underpins mutual respect and courtesy, essential to good local government.

(b) You must not do anything which may cause your authority to breach any equality laws.

(c) You must not compromise or attempt to compromise the impartiality of anyone who works for, or on behalf of, the authority.

(d) You must not bully any person, including other councillors, officers of the authority or members of the public. (see footnote)

Leadership

- 8 You must promote and support high standards of conduct when serving as member or co-opted member of the authority, by leadership and example, championing the interests of the community.



You should uphold the law and, on all occasions, act in accordance with the trust that the public is entitled to place in you.

Gifts and Hospitality

- 9 You must within 28 days of receipt, notify the Monitoring Officer in writing of any gift, benefit or hospitality with a value in excess of £100 which you have accepted as a member from any person or body other than the authority. The Monitoring Officer will place your notification on a public register of gifts and hospitality.

Notes

“Confidential Information” should not be disclosed except in limited circumstances, for example:

- You have the consent of the person authorised to give it
- You are required by law to do so
- The disclosure is made on a confidential basis to a third party in order to obtain professional advice
- You have satisfied yourself that the disclosure is in the public interest

“Bullying” may be characterised as offensive, intimidating, malicious, insulting or humiliating behaviour and includes “cyber bullying”. It may happen once or be part of a pattern of behaviour. It can be contrasted with the legitimate challenges a member may make in challenging policy or scrutinising performance. You may challenge others as to why they hold their views but must take care to raise issues in the appropriate forum. Ideas and policies may be robustly criticised but individuals should not be subject to unreasonable or excessive personal attack.

B- REGISTERING AND DECLARING PECUNIARY AND NON-PECUNIARY INTERESTS

You must, within 28 days of taking office as a member or co-opted member, notify your authority’s monitoring officer of any disclosable pecuniary interest as defined by regulations made by the Secretary of State, where the pecuniary interest is yours, your spouse’s or civil partner’s, or is the pecuniary interest of somebody with whom you are living with as a husband or wife, or as if you were civil partners.

In addition, you must, within 28 days of taking office as a member or co-opted member, notify your authority’s monitoring officer of any disclosable pecuniary or non-pecuniary interest which your authority has decided should be included in the register.

If an interest has not been entered onto the authority's register, then you must disclose the interest to any meeting of the authority at which you are present, where you have a disclosable interest in any matter being considered and where the matter is not a 'sensitive interest'*

Following any disclosure of an interest not on the authority's register or the subject of pending notification, you must notify the monitoring officer of the interest within 28 days beginning with the date of disclosure.

Unless dispensation has been granted, you may not participate in any discussion of, vote on, or discharge any function related to any matter in which you have a pecuniary interest as defined by regulations made by the Secretary of State. Additionally, you must observe the restrictions your authority places on your involvement in matters where you have a pecuniary or non pecuniary interest as defined by your authority.

*A 'sensitive interest' is described in the Localism Act 2011 as a member or co-opted member of an authority having an interest, and the nature of the interest being such that the member or co-opted member, and the authority's monitoring officer, consider that disclosure of the details of the interest could lead to the member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation.

Extract from the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012

- The following categories are Disclosable Pecuniary Interests
- “M” denotes the relevant Elected Member

Subject	Prescribed description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992¹.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to M’s knowledge)—</p> <p>(a) the landlord is the relevant authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where—</p> <p>(a) that body (to M’s knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

⁽¹⁾ 1992 c. 52.



Annex B: Terms of Reference

ASSETS AND OPERATIONS COMMITTEE

1. The Assets and Operations Committee ('the Committee') shall consist of eight councillors and, as provided for by Standing Order 59, the Town Mayor (ex officio) and the Deputy Town Mayor (ex officio).
2. The quorum of the Committee shall be five members
3. The Committee has delegated authority to consider and decide on matters related to:

The financial, general and day to day running matters of the Council's estates or interests in land or buildings except those expressly referred to any other committee and matters related to the Council's day to day operations and services e.g. market licencing.
4. The Committee may authorise expenditure in accordance with the budget approved by Council.
5. The Committee shall, at its October meeting annually, agree a recommended budget for the forthcoming financial year, which will be presented with a recommendation to the Finance Committee.
6. The minutes of committee meetings shall be presented to the next practicable meeting of the Council.

EMERGENCY COMMITTEE

1. The Emergency Committee ('the Committee') shall consist of the Town Mayor (ex officio) and the Deputy Town Mayor (ex officio), as provided for by Standing Order 59, and the chairmen of the Finance, Environment & General Purposes, Assets & Operations, Personnel and Events & Town Centre Management Committees.
2. The quorum for the Committee shall be three members.
3. The Committee shall meet only when it is established that an emergency meeting of the full council (called on the first legal day following notification) would fail to achieve a quorum.
4. The Committee may decide all matters that may be legally delegated to a committee on behalf of the Council.
5. The Committee shall provide a full report to the Council at the next Council Meeting.

ENVIRONMENT AND GENERAL PURPOSES COMMITTEE

1. The Environment & General Purposes Committee ('the Committee') shall consist of six councillors and, as provided for by Standing Order 59, the Town Mayor (ex officio) and the Deputy Town Mayor (ex officio).
2. The quorum of the Committee shall be four members.
3. The Committee has delegated authority to consider and decide on matters related to:

Floriculture, streetscene and townscape, communications, social issues (e.g. healthcare, education, social behaviour, quality of life, environmental issues etc), heritage, non-council owned open spaces, highways, community and general issues relating to the efficient operation of the Council as referred to it by the Council.
4. The Committee may authorise expenditure in accordance with the budget approved by Council.
5. The Committee shall, at its October meeting annually, agree a recommended budget for the forthcoming financial year which will be presented for consideration by the Finance Committee.
6. The minutes of committee meetings shall be presented to the next practicable meeting of the Council.

EVENTS AND TOWN CENTRE MANAGEMENT COMMITTEE

1. The Events and Town Centre Management Committee ('the Committee') shall consist of six councillors and, as provided for by Standing Order 59, the Town Mayor (ex officio) and the Deputy Town Mayor (ex officio).
2. The quorum of the Committee shall be four members.
3. The Committee has delegated authority to consider and decide on matters related to:

Promotion of tourism and the town economy, town centre management, celebrations and events (including market events but not market licencing) and Christmas illuminations
4. The Committee may authorise expenditure in accordance with the budget approved by Council.
5. The Committee shall, at its October meeting annually, agree a recommended budget for the forthcoming financial year which will be presented for consideration by the Finance Committee.

6. The minutes of committee meetings shall be presented to the next practicable meeting of the Council.

FINANCE COMMITTEE

1. The Finance Committee ('the Committee') shall consist of six councillors and, as provided for by Standing Order 59, the Town Mayor (ex officio) and the Deputy Town Mayor (ex officio).
2. The quorum of the Committee shall be four members.
3. The Committee has delegated authority to consider and decide on matters related to:

Financial governance (including the council's Financial Regulations), general financial issues, community grants, audit arrangements (except approval of the Annual Return), banking and investment arrangements (in accordance with adopted Investments Policy)
4. The Committee has a responsibility to monitor the financial well-being of the Council and report to the next Council meeting any concerns that the council may exceed its full year total expenditure budget
5. The Committee may authorise expenditure in accordance with the budget approved by Council.
6. The Committee has delegated authority to authorise payments on behalf of the Council.
7. The Committee is directed to appoint an 'Internal Audit Working Group' consisting of three members of the Committee who will undertake quarterly inspections and report their findings to the Committee. The Terms of Reference for the working group shall be an annex to the Financial Regulations and reviewed at the first meeting of the Committee each civic year when the membership of the working group shall be determined.
8. The Committee shall, at its November meeting annually, agree a recommended budget and precept requirement for the forthcoming financial year, which will be presented with a recommendation for approval to the Council.
9. The minutes of committee meetings shall be presented to the next practicable meeting of the Council.

PERSONNEL COMMITTEE

1. The Personnel Committee ('the Committee') shall consist of four councillors and, as provided for by Standing Order 59 the Town Mayor (ex officio) and the Deputy Town Mayor (ex officio).
2. The quorum of the Committee shall be three members
3. The Committee has delegated authority to consider and decide on matters related to:

Management of staff (e.g. discipline, staff welfare, remuneration, recruitment, training etc.) Compliance with the Data Protection and Freedom of Information Acts.
4. The Committee may authorise expenditure in accordance with the budget approved by Council.
5. The minutes of committee meetings shall be presented to the next practicable meeting of the Council.

PLANNING AND LICENSING COMMITTEE

1. The Planning and Licensing Committee ('the Committee') shall consist of six councillors and, as provided for by Standing Order 59 the Town Mayor (ex officio) and the Deputy Town Mayor (ex officio).
2. The quorum of the Committee shall be three members
3. The Committee has delegated authority to consider and respond to any planning or licensing consultation referred to it in accordance with Standing Orders and to consider and decide any other planning matters with the exception of the Local Plan and Neighbourhood Planning.
4. The Committee has no authority to commit expenditure.
6. The minutes of committee meetings shall be presented to the next practicable meeting of the Council.

URGENCY COMMITTEE

1. The Urgency Committee ('the Committee') shall consist of the Town Mayor (ex officio) and the Deputy Town Mayor (ex officio), as provided for by Standing Order 59, and the chairmen of the Finance, Environment & General Purposes, Assets & Operations, Personnel, Planning & Licencing and Events & Town Centre Management Committees.

2. The quorum for the Committee shall be three members.
3. The Committee shall meet only in accordance with Standing Order 49.
4. The Committee may decide all matters on behalf of the Council as per Standing Order 49.
5. The Committee shall provide a full report to the relevant Committee and Full Council.

Annex C: Working Group Terms of Reference

[insert name] Working Group Terms of Reference

1. The Working Group will consist of [insert no.] councillors, determined by the [insert committee name or Council] and the [officer] in an advisory capacity. Membership to be determined by the parent body at its first meeting at start of a new Mayoral year. The working group may invite members of the public to attend meetings in an advisory capacity on an ad-hoc usually temporary basis.
2. At its first meeting of the civic year the working group members shall:
 - a. Review these terms of reference / complete the skeleton Terms of Reference for approval as appropriate.
 - b. Appoint an elected member as Lead Member who should ensure the entire working group's members are kept informed and involved with progress and act as the primary reporting channel back to the parent body.
3. In line with the task set by the [Council / committee], the purpose and remit of the working group is to :
 - a. [insert remit]
 - b. [insert remit]
 - c. [insert remit]
4. The group does not have delegated powers to make decisions on behalf of the [insert committee if applicable] or the Town Council nor should exceed its purpose and remit (above) without the parent body's sanction to a change to this Terms of Reference
5. The group reports to the [committee/council]
6. The group shall provide timely reports to the parent body in the following manner:
 - a. [insert manner of reports]
7. Meetings of the working group are not usually but may be public meetings.

