

KNUTSFORD TOWN COUNCIL

STANDING ORDERS

CONTENTS

Meetings 5

Annual Council Meeting 5

Chairman of the Meeting 5

Proper Officer 5

Quorum of the Council 5

Voting 6

Order of Business 6

Adjournment 7

Urgent Business 7

Resolutions Moved on Notice 7

Resolutions Moved Without Notice 8

Questions 9

Draft Minutes 9

Rules of Debate 10

Closure 11

Disorderly Conduct 12

Right of Reply 12

Alteration of Resolution 12

Rescission of Previous Resolution 12

Voting On Appointments 13

Discussions and Resolutions Affecting Employees of the Council 13

Resolutions on Expenditure 13

Inquorate Meetings 13

Handling Confidential or Sensitive Information 14

Expenditure 14

Sealing of Documents 14

Committees and Sub Committees 14

Special Meeting 15

Reporting to Council 16

Sub-Committees 16

Advisory Committees 16

Voting in Committees 17

Presence of Non-Members of Committees at Committee Meetings 17

Decisions Affecting other Committees 17

Terms of Reference of Committees and Working Groups 17

Accounts and Financial Statement 18
Estimates / Precepts 18
Annual Budget and Precept Setting Process 18
Code of Conduct and Dispensations 19
Canvassing of and Recommendations by Members 20
Inspection of Documents 20
Unauthorised Activities 21
Admission of the Public and Press to Meetings 21
Confidential Business 21
Requests for Information 22
Liaison with Borough Councillors 22
Planning and Licensing Applications 22
Consultations 23
Contracts 23
Code of Conduct Complaints 23
Variation, Revocation and Suspension of Standing Orders 24
Standing Orders to be given to Members 24
Annex A: Code of Conduct 25
Introduction 25
Raising Concerns 25
Definitions 26
Purpose of the Code of Conduct 26
Councillor Conduct 26
Application of the Code of Conduct 27
Standards of Councillor Conduct 28
Respect 28
Bullying, Harassment And Discrimination 29
Impartiality Of Officers Of The Council 29
Confidentiality And Access To Information 30
Disrepute 30
Use of Position 31
Use of Local Authority Resources and Facilities 31
Complying with the Code of Conduct 32
Interests 32
Gifts and Hospitality 33
Predetermination, Predisposition and Bias 34
Appendices 35

Appendix A The Seven Principles of Public Life 35
Appendix B Registering Interests 36
Table 1 Disclosable Pecuniary Interests 38
Table 2 Other Registrable Interests 39
Annex B: Terms of Reference 40
Assets and Operations Committee 40
Community Committee 40
Environment and Transport Committee 41
Emergency Committee 41
Events Committee 41
Finance Committee 42
Personnel Committee 42
Planning Committee 43
Town Centre Committee 43
Urgency Committee 44
Annex C: Working Group Terms of Reference 44
Annex D: Election of Town Mayor and Deputy Town Mayor 45

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 67. 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 48 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 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.

ADJOURNMENT

17. After each ninety-minute period the chairman shall normally adjourn the meeting for a five-minute recess to afford those present a comfort break

URGENT BUSINESS

18. 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

19. 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.

20. 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.

21. 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.

22. 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.

23. 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.

24. 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.

25. 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

26. 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 95)
o) To silence or eject from the meeting a member named for misconduct. (see Standing Order 41)
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 116 below)
r) To adjourn the meeting.

QUESTIONS

27. 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.

28. No questions not connected with business under discussion shall be asked except during the part of the meeting set aside for questions.

29. Every question shall be put and answered without discussion.

30. A person to whom a question has been put may decline to answer.

DRAFT MINUTES

31. 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

32. 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 26C

33. 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.

34. 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."

35. 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

36.

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) A statement from an absent member may only be conveyed to the meeting if it has been submitted in writing to the Town Clerk in advance of the meeting. The Town Clerk shall read such statement to the meeting.

e) 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.

f) 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 has been asked for its withdrawal unless such permission has been refused.

l) When a resolution is under debate no other resolution shall be moved except the following:

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.

37.

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

38. 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

39. **All members must behave in a manner required by the Code of Conduct which was adopted by the council on 1st June 2026, a copy of which is annexed to these Standing Orders.**

40. 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.**

41. If, in the opinion of the chairman, a member has broken the provisions of the aforementioned Standing Orders, 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.

42. 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

43. 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

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

RESCISSION OF PREVIOUS RESOLUTION

45. 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.

46. When a special resolution or any other resolution moved under the provisions of Standing Order 45 has been disposed of, no similar resolution may be moved within a further six months.

VOTING ON APPOINTMENTS

47. 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

48. 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 95)

RESOLUTIONS ON EXPENDITURE

49. 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

50. 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

51. 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.

52. Councillors and staff shall not disclose confidential or sensitive information which for special reasons would not be in the public interest.

EXPENDITURE

53. All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's Financial Regulations

54. 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.

55. All payments authorised by the Finance Committee shall be presented to the next ordinary meeting of the Council for noting.

56. 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

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

58. Subject to Standing Order 57, 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

59. 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) With the exception of the Personnel, Emergency and Urgency committees 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 39 above, at any time dissolve or alter the membership of committee.

60. Appointment to the following committees shall be subject to the member having undertaken adequate training:

Finance Committee	Local Council Finance
Planning Committee	The Planning System
Personnel Committee	Human Resources

The Town Council shall provide opportunity for such training to members annually.

61. The Town Mayor and Deputy Town Mayor ex-offico 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.

62. 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.

The committee shall ensure that the member it is appointed as Chairman has undertaken adequate training in chairmanship prior to appointment.

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

63. 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

64. 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

65. Every committee may appoint sub-committees for purposes to be specified by the committee.

66. 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.

67. 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.

68. 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.

69. Without prejudice to the powers of committees under Standing Order 65, 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

70. The Council may create advisory committees, whose name, and number of members and the bodies to be invited to nominate members shall be specified.

71. The Town Clerk shall inform the members of each advisory committee of the terms of reference of the committee.

72. An advisory committee may make recommendations and give notice thereof to the Council

73. An advisory committee may consist wholly of persons who are not members of the Council.

VOTING IN COMMITTEES

74. 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.

75. **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

76. 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.

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 95 excluding the press and public from a meeting shall not apply to a member attending under this standing order.

DECISIONS AFFECTING OTHER COMMITTEES

77. *Notwithstanding the provisions of Standing Order 49, where, in the opinion of the Town Clerk and the Chairman of an affected committee:*

a) a decision taken by a committee is contrary to the policy of another committee or would affect the delivery of a service under the remit of another committee, and

b) they are of the opinion that it be warranted

the decision shall not be implemented until the position has been reviewed by the Council, and the affected committee shall consider whether it wishes to report thereon.

TERMS OF REFERENCE OF COMMITTEES AND WORKING GROUPS

78. Unless the council at any time determines to the contrary, the Committees of the council to be appointed in each year shall be the

Assets and Operations

Community
Emergency
Environment and Transport
Events
Finance
Personnel
Planning
Town Centre
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.

79. 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

80. 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

81. The council shall approve written estimates for the coming financial year at its meeting at the first meeting in January.

82. 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

83. 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 early December to review a consolidated budget and make a precept recommendation to the Town Council prior to the deadline for precept submissions (normally mid-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

84. **All councillors with voting rights shall observe the code of conduct adopted by the council**

85. A member who has declared a pecuniary or prejudicial interest may not participate in any discussion on the matter at the meeting or in any vote taken on the matter at the meeting and is required to leave the room where the meeting is taking place during the discussion and vote.

A member may attend the meeting and make representations, answer questions or give evidence provided that the public are also allowed to attend the meeting for the same purpose and you leave the meeting immediately after having done so.

86. **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.

87. 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.

88. Subject to Standing Orders 84 and 85, 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.

89. **A dispensation may be granted in accordance with Standing Order 86 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.

90. **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.**

91. 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

92. 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.

93. 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.

94. Standing Orders 90, 91 and 92 shall apply to tenders as if the person making the tender were a candidate for an appointment.

INSPECTION OF DOCUMENTS

95. 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.

96. **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

97. 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

98. **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"*

Elected members who have not yet taken office (i.e. during the period between the announcement of an uncontested election and the date of poll) shall not be permitted to remain after the public and press have been excluded.

99. The Council shall state the special reason for exclusion.

100. 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.

101. 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.

102. 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.

103. 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

104. 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.

105. Any member in breach of the provisions of paragraph 103 of this Standing Order shall be removed from any committee or sub-committee of the Council.

REQUESTS FOR INFORMATION

106. 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 2018.

107. 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

108. A notice of meetings shall be sent together with an invitation to attend to the Borough Councillor for the appropriate ward.

109. 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

110. 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.

111. The Town Clerk shall refer every planning application received to the next meeting of the Planning Committee. The Town Clerk may, having taken soundings from members, respond to any planning application received for consultation which requires a response outside the Planning Committee meeting cycle.

112. 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 Committee, or

b) Require the Planning Committee to refer any such application to the Council rather than express an opinion on behalf of the Council under its delegated powers.

CONSULTATIONS

113. Where it is not convenient or practicable to bring a consultation to the relevant meeting, the Town Clerk, having taken soundings from members, has delegated authority to respond on behalf of the Council subject to the following provisions:

a) information on the consultation shall be circulated to all members seeking their views on how the council should respond
b) the Town Mayor, relevant committee chairman or any two members may instead require the Town Clerk to refer the consultation to the relevant meeting
c) the draft consultation response, and the views expressed by members, shall be reviewed by the relevant chairman prior to submission
d) the final consultation response shall be circulated to all members for information

The relevant meeting is that which has authority to determine policy in respect of the consultation subject the relevant chairman is the appointed chairman of that meeting.

CONTRACTS

114. 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 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
c) for work to be executed or goods or materials to be supplied which constitute an extension of an existing contract by the Council;
d) 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);
e) 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

115. 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 51 and 52 above, report this to the council.

116. Where the notification in Standing Order 113 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 114 below.

117. 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;

118. **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

119. 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.

120. 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

121. 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.

122. 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 1st June 2026.

INTRODUCTION

1.1 Knutsford Town Council (the 'Council' or '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 Councillors and co-opted Members (referred to collectively in this Code as "Councillors").

1.2 This code is adopted under the provisions of the Localism Act 2011. It is built on the *Seven Principles of Public Life* (also known as the Nolan Principles) which apply to all holders of public office. It is based on the code adopted by Cheshire East Council and the model published by the Local Government Association.

1.3 It is important that Councillors can be held accountable, and all adopt the behaviours and responsibilities associated with the role. Conduct as an individual Councillor affects the reputation of all Councillors. The Council wants the role of Councillor to be one that people aspire to. The Council also wants individuals from a range of backgrounds and circumstances to be putting themselves forward to become Councillors.

1.4 Councillors represent local residents, work to develop better services and deliver local change. The public have high expectations of Councillors and entrust them to represent their local area, taking decisions fairly, openly, and transparently. Councillors have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

1.5 Importantly, Councillors should be able to undertake the role as a Councillor without being intimidated, abused, bullied, or threatened by anyone, including the general public.

1.6 This Code has been designed to protect the democratic role of Councillors, encourage good conduct and safeguard the public's trust in local government.

RAISING CONCERNS

1.7 Where appropriate, the Town Council encourages concerns to first be raised informally with the Town Clerk or Town Mayor for an informal resolution to be achieved.

1.8 Under current legislation, formal complaints must be made to the Monitoring Officer of Cheshire East Council. Sufficient information must be provided to substantiate the complaint and Cheshire East Council publishes the process through which it will deal with complaints on its

website.

1.9 Guidance that may assist interpreting and understanding aspects of the code can be found here: Guidance on Local Government Association Model Councillor Code of Conduct | Local Government Association

DEFINITIONS

2.1 For the purposes of this Code of Conduct, a "Councillor" means an elected Councillor or co-opted Member of Knutsford Town Council.

2.2 A "co-opted member" is defined in the Localism Act 2011 Section 27(4) as "a person who is not a member of the authority but who:

a) is a member of any committee or sub-committee of the authority, or;

b) is a member of, and represents the authority on, any joint committee or joint subcommittee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee".

PURPOSE OF THE CODE OF CONDUCT

3.1 The purpose of this Code is to assist Councillors, in modelling the behaviour that is expected of them, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against them.

3.2 It is also to protect the Councillor, their fellow Councillors, the public, council officers and the reputation of the Council and of local government. It sets out general principles of conduct expected of all Councillors and specific obligations in relation to standards of conduct.

3.3 The fundamental aim of the Code is to create and maintain public confidence in the role of Councillor and local government.

COUNCILLOR CONDUCT

4.1 Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, Councillors and council officers; should uphold the Nolan Principles:

- Selflessness
- Integrity
- Objectivity
- Accountability
- Openness

- Honesty
- Leadership

4.2 Building on these principles, the following general principles have been developed specifically for the role of Councillor.

In accordance with the public trust placed in me, on all occasions I will:

- *act with integrity and honesty*
- *act lawfully*
- *treat all persons fairly and with respect*
- *lead by example and act in a way that secures public confidence in my role*

In undertaking my role I will:

- *impartially exercise my responsibilities in the interests of the local community*
- *not improperly seek to confer an advantage, or disadvantage, on any person*
- *avoid conflicts of interest*
- *exercise reasonable care and diligence*
- *ensure that public resources are used prudently in accordance with the council's requirements and in the public interest*

APPLICATION OF THE CODE OF CONDUCT

5.1 This Code applies to Councillors as soon as they sign the declaration of acceptance of the office of Councillor or attend their first meeting as a co-opted member, and it continues to apply until they cease to be a Councillor or Co-opted Member.

5.2 This Code of Conduct applies when they are acting in their capacity as a Councillor or Co-opted Member which may include if:

a. They misuse their position as a Councillor

b. Their actions would give the impression to a reasonable member of the public with knowledge of all the facts that they are acting as a Councillor

5.3 The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements, and comments.

5.4 Councillors are also expected to uphold high standards of conduct and show leadership at all times when acting as a Councillor.

5.5 The Cheshire East Council Monitoring Officer has statutory responsibility for the implementation of this Code of Conduct. Advice may be sought from the Town Clerk who may refer matters to the Monitoring Officer

STANDARDS OF COUNCILLOR CONDUCT

6.1 This section sets out the obligations of Councillors, which are the minimum standards of conduct required. Should conduct fall short of these standards, a complaint may be made against a Councillor, which may result in action being taken.

6.2 Guidance is included to help explain the reasons for the obligations and how they should be followed.

RESPECT

As a councillor I will:

- *treat other Councillors with respect*
- *treat members of the public with respect*
- *treat council employees representatives of partner organisations and those volunteering for the council with respect and respect the role they play*

6.3 Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. A Councillor, can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. They should not, however, subject individuals, groups of people or organisations to personal attack.

6.4 In contact with the public, Councillors should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in Councillors.

6.5 In return, Councillors have a right to expect respectful behaviour from others. If members of the public are being abusive, intimidatory or threatening Councillors are entitled to stop any conversation or interaction in person or online and report them to the relevant local authority, social media provider or the police. This also applies to fellow Councillors, where action could then be taken under the Councillor Code of Conduct, and council officers, where concerns should be raised in line with the Member/Officer protocol.

BULLYING, HARASSMENT AND DISCRIMINATION

As a councillor I:

- *do not bully any person*
- *do not harass any person*
- *do not discriminate unlawfully against any person*

6.6 The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

6.7 The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

6.8 Because bullying and harassment can be subjective by its very nature, any complaints of such behaviour will be subject to an objective assessment of all the circumstances surrounding the allegation.

6.9 Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

6.10 The Equality Act 2010 places specific duties on the council. Councillors have a central role to play in ensuring that equality issues are integral to the council's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

IMPARTIALITY OF OFFICERS OF THE COUNCIL

As a councillor I:

- *do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the council.*

6.11 Officers work for the council as a whole and must be politically neutral (there are no political assistants at the Town Council). Officers should not be coerced or persuaded to act in a way that would undermine their neutrality. Councillors can question officers in order to understand, for example, their reasons for proposing to act in a particular way, for having

acted in a particular way, or in respect of the content of a report that they have written. However, Counsellors must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

6.12 Councillors should always use the appropriate routes to raise issues and inform decision making.

CONFIDENTIALITY AND ACCESS TO INFORMATION

As a councillor I:

- *do not disclose information given to me in confidence by anyone, or acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless:*

    a) I have received the consent of a person authorised to give it
    b) I am required by law to do so
    c) the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person or
    d) the disclosure is:

        i. reasonable and in the public interest; and
        ii. made in good faith and in compliance with the reasonable requirements of the access to information procedure rules; and
        iii. I have sought the views of the Town Clerk or Monitoring Officer prior to its release.

- *do not improperly use knowledge gained solely as a result of my role as a Councillor for the advancement of myself, my friends, my family members, my employer or my business interests.*

- *do not prevent anyone from getting information that they are entitled to by law.*

6.13 Knutsford Town Council must work openly and transparently, and its proceedings and printed materials are open to the public, except in certain legally defined circumstances. Councillors should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

DISREPUTE

As a councillor I:

- *do not bring my role into disrepute*
- *am seen as a representative of my council and seek to uphold the image and reputation of the Council, I will not bring my council into disrepute*

6.14 Councillors are trusted to make decisions on behalf of the community and their actions and behaviour are subject to greater scrutiny than that of ordinary members of the public.

Councillors should be aware that their actions might have an adverse impact on themselves, other Councillors and/or their Council and may lower the public's confidence in them or the Council's ability to discharge its functions. For example, behaviour that is considered dishonest and/or deceitful can bring the council into disrepute.

6.15 Councillors are able to hold the Council and fellow Councillors to account and are able to bring legitimate challenge in relation to Council functions and operation, criticise and express concern about decisions, services and processes undertaken by the Council whilst continuing to adhere to other aspects of this Code of Conduct. The Code of Conduct does not stifle political debate, prohibit whistleblowing, or prevent Councillors from campaigning on issues of local concern.

USE OF POSITION

As a councillor I:

- *do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.*

6.16 The position as a Councillor provides councillors with certain opportunities, responsibilities, and privileges, and they make choices all the time that will impact others.

6.17 However, they should not take advantage of these opportunities to further their own or others' private interests or to disadvantage anyone unfairly.

USE OF LOCAL AUTHORITY RESOURCES AND FACILITIES

As a councillor I:

- *do not misuse council resources*
- *will, when using the resources of the local authority or authorising their use by others:*
    - act in accordance with the local authority's requirements; and
    - ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the council or of the office to which I have been elected or appointed.

6.18 A Councillor may be provided with resources and facilities by the council to assist in carrying out their duties as a Councillor. Examples include office support, stationery, equipment such as computers, transport and access and use of council buildings and rooms.

6.19 These are provided to help them carry out their role as a Councillor more effectively and are not

to be used for business, personal, or political gain. They should be used in accordance with the purpose for which they have been provided and the Council's own policies regarding their use.

COMPLYING WITH THE CODE OF CONDUCT

As a councillor I:

- will undertake Code of Conduct training provided by my Council
- will cooperate with any Code of Conduct investigation and/or determination
- will not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings
- will comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

6.20 It is extremely important for Councillors to demonstrate high standards, for them to have their actions open to scrutiny and for them not to undermine public trust in the council or its governance. If a Councillor does not understand or is concerned about the Cheshire East Council processes in handling a complaint they should raise this with the Monitoring Officer.

INTERESTS

As a councillor I:

- *register and disclose my interests*

7.1 It is a requirement that the Monitoring Officer establishes and maintains a register of Councillors' interests.

7.2 Councillors are required to register their interests so that the public, council employees and fellow Councillors know which of interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects Councillors by allowing them to demonstrate openness and a willingness to be held accountable.

7.3 Councillors are personally responsible for deciding whether or not they should disclose an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by Councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

7.4 It should be noted that failure to register or disclose a disclosable pecuniary interest as set out in Table 1, is a criminal offence under the Localism Act 2011.

7.5 Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt advice can be sought from the Monitoring Officer or the Town Clerk.

GIFTS AND HOSPITALITY

As a councillor I:

- *do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.*
- *will only accept gifts and hospitality when on a scale appropriate to the circumstances, and where it is apparent that no cause could reasonably arise for adverse criticism about the acceptance of the gift or hospitality. Hospitality is usually acceptable when the invitation is corporate not personal.*
- *will register with the Monitoring Officer any gift, hospitality or other personal benefit which I have received and which exceeds £50 in value*

8.1 Whatever gift or hospitality is provided to a Councillor, other than a gift or hospitality of nominal value only (such as drink, or small items of stationery), the Councillor should be report the circumstances and the type of hospitality to the Monitoring Officer. Small insignificant gifts of a value of less than £50, such as pens, diaries, calendars, mouse mats or mugs, may be accepted.

8.2 Gifts include anything which is of personal value to the recipient such as items for personal or family use and discounts or special terms for services etc.

8.3 In order to protect the Councillor's position and the reputation of the Council, Councillors should exercise caution in accepting any gifts or hospitality which are (or which they reasonably believe to be) offered because they are a Councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case they could accept it but must ensure it is publicly registered.

8.4 Corporate gifts and/or hospitality may on occasion be offered to Councillors carrying out duties associated with a ceremonial role such as the Council Chair. If the gift or hospitality is offered in ceremonial capacity, it can be accepted and noted on the register for the office being held. For example, the Council Chair receives a gift on behalf of the Council, the gift will be recorded in the Council Chair's register and retained by the Town Council. A gift received by the Council Chair as a token of thanks for attending a function, such as flowers, will be recorded as a personal gift within the register as appropriate. Gifts of a greater value should only be accepted on the basis that the gift or hospitality is declared. Gifts or hospitality (if appropriate) accepted in a ceremonial capacity may be donated to charitable or other appropriate causes.

8.5 Councillors do not need to register gifts and hospitality which are not related to their role as a Councillor, such as Christmas gifts from friends and family. It is also important to note that it

is appropriate to accept normal expenses and hospitality associated with duties as a Councillor. Guidance can be obtained from the Clerk or Monitoring Officer.

PREDETERMINATION, PREDISPOSITION AND BIAS

9.1 Issues of predetermination, predisposition and bias can arise in parallel to the provisions of the Code of Conduct, but are not part of the Code itself.

9.2 Councillors must be mindful of falling foul of the general obligations of this code by taking part in decisions where they are biased or have pre-determined the matter in question.

9.3 Simply put, a Councillor will be biased or will have pre-determined a matter if they have approached a matter with a closed mind. That is to say if they have made up their mind which way they will decide a matter before all of the relevant considerations are presented and debated in the appropriate decision making forum.

9.4 Previous actions or statements of a Councillor will not be taken by themselves as proof of predetermination. A Councillor may be predisposed to a certain point of view, however notwithstanding any predisposition, Members need to be careful to ensure they approach and, insofar as is possible, are seen to approach decisions with an open mind.

9.5 Particular scenarios to be mindful of are where a Councillor, in some other role, is seen to be a promoter or advocate for a proposal which later comes before them for decision. A risk arises when there has been significant personal involvement in preparing or advocating the proposal such that a Councillor may become or may be perceived by the public as being no longer able to approach the decision with an open mind.

9.6 If a Councillor considers they have pre-determined a matter they should declare it. They should not speak or vote on the proposal. They may, however, make representations on the proposal if a member of the public also has the right to do so. They are not legally obliged to withdraw from the meeting for the remainder of the debate and vote but in most circumstances doing so will counter any suggestion that you influenced the remaining Councillors by your continued presence. If they do not withdraw, as a minimum they must withdraw to the public area of the meeting room for the whole of the consideration of the matter, whether or not they are also exercising your right to speak.

9.7 If a body appearing in Table 2 of a Councillor's register of interest has determined a position on a matter under consideration at the Council, the Councillor should make this known to the meeting.

9.8 If in any doubt Councillors should seek advice from the Monitoring Officer, Town Clerk or ChALC.

APPENDICES

APPENDIX A THE SEVEN PRINCIPLES OF PUBLIC LIFE

The Seven Principles of Public Life (also known as the Nolan Principles) apply to anyone who works as a public office holder. This includes all those who are elected or appointed to public office, nationally and locally, and all people appointed to work in the Civil Service, local government, the police, courts and probation services, non-departmental public bodies, and in the health, education, social and care services.

All public office holders are both servants of the public and stewards of public resources. The principles also apply to all those in other sectors delivering public services. The custodians of the Principles of Public Life are the Ethics and Integrity Commission.

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour and treat others with respect. They should actively promote and robustly support the principles and challenge poor behaviour wherever it occurs.

APPENDIX B REGISTERING INTERESTS

Within 28 days of becoming a Councillor or on re-election or re-appointment to office Councillors must register with the Monitoring Officer the interests which fall within the categories set out in Table 1 (Disclosable Pecuniary Interests) which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012".

Councillors should also register details of other personal interests which fall within the categories set out in Table 2 (Other Registerable Interests).

"Disclosable Pecuniary Interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below. "Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

- Councillors must ensure that their register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer and Town Clerk.

- A 'sensitive interest' is as an interest which, if disclosed, could lead to the Councillor, or a person connected with the Councillor, being subject to violence or intimidation.

- Where a Councillor has a 'sensitive interest' they must notify the Monitoring Officer with the reasons why they believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

NON PARTICIPATION IN CASE OF DISCLOSABLE PECUNIARY INTEREST

Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in Table 1, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. You are able to make a brief statement prior to leaving the meeting to describe the context of your decision.

Specific guidance regarding the declaration of interests at planning committee is available here: https://www.local.gov.uk/publications/probity-planning-advice-councillors-and-officers-making-planning-decisions

Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.

Where a Councillor is the chair of any committee and has a disclosable pecuniary interest on a matter to be considered by them or they are being consulted upon for an officer decision, they must notify the Town Clerk of the interest and must not take any steps or further steps in the matter apart from arranging for the Deputy Chair or someone else to deal with it

DISCLOSURE OF OTHER REGISTERABLE INTERESTS

Where a matter arises at a meeting which directly relates to the financial interest or wellbeing of one of a Councillor's *Other Registerable Interests* (as set out in Table 2), they must disclose the interest. They may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation. If it is a 'sensitive interest', they do not have to disclose the nature of the interest.

DISCLOSURE OF NON-REGISTERABLE INTERESTS

Where a matter arises at a meeting which directly relates to a Councillor's financial interest or wellbeing (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or wellbeing of a relative or close associate, they must disclose the interest.

The Councillor may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise, they must not take part in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

If it is a 'sensitive interest', they do not have to disclose the nature of the interest. They are able to make a brief statement prior to leaving the meeting to describe the context of their decision.

Where a matter arises at a meeting which affects:

- Their own financial interest or wellbeing; or
- a financial interest or well-being of a relative or close associate; or
- a financial interest or wellbeing of a body included under Other Registrable Interests as set out in Table 2

the Councillor must disclose the interest.

In order to determine whether they can remain in the meeting after disclosing the interest the following test should be applied. Where a matter (referred to above) affects the financial interest or wellbeing:

- to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
- a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

They may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise, they must not take part in any discussion or vote on the matter and must not remain in the room unless they have been granted a dispensation.

The Councillor is able to make a brief statement prior to leaving the meeting to describe the context of their decision. If it is a 'sensitive interest', they do not have to disclose the nature of the interest.

Where the Councillor is the Chair of any committee and has another Registrable Interest or Non-Registrable Interest on a matter to be considered by them or they are being consulted upon for an officer decision, they must notify the Town Clerk of the interest and must not take any steps or further steps in the matter apart from arranging for the Deputy Chair or someone else to deal with it.

TABLE 1 DISCLOSABLE PECUNIARY INTERESTS

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the Relevant authorities (Disclosable Pecuniary Interests) Regulations 2012.

Section	Explanation
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the Councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a Councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the Councillor or his/her spouse or civil partner or the person with whom the Councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council - a) under which goods or services are to be provided or works are to be executed; and b) which has not been fully discharged.
Land and Property	Any beneficial interest in land which is within the area of the council. 'Land' excludes an easement, servitude, interest or right in or over land which does not give the Councillor or his/her spouse or civil partner or the person with whom the Councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.
Licenses	Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer.
Corporate tenancies	Any tenancy where (to the Member's knowledge)— the landlord is the council; and the tenant is a body that the Councillor, or his/her spouse or civil partner or the person with whom the Councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.

Securities	Any beneficial interest in securities* of a body where— that body (to the Councillor's knowledge) has a place of business or land in the area of the council; and either— • the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or • if 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 Councillor, or his/ her spouse or civil partner or the person with whom the Councillor is living as if they were spouses/civil partners have a beneficial interest exceeds one hundredth of the total issued share capital of that class.

- 'director' includes a member of the committee of management of an industrial and provident society.
- 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

TABLE 2 OTHER REGISTRABLE INTERESTS

You must register as an Other Registerable Interest:

- any unpaid directorships
- any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority
- any body
  - i) exercising functions of a public nature
  - ii) directed to charitable purposes or
  - iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member or in a position of general control or management

ANNEX B: TERMS OF REFERENCE

ASSETS AND OPERATIONS COMMITTEE

1. The Assets and Operations Committee ('the Committee') shall consist of six councillors and, as provided for by Standing Order 61, 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:

   The financial, general and day-to-day running matters of the council's estates or interests in land/buildings (except those expressly referred to any other committee) and matters related to the Council's day to day operations 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 annually, by 31st October, 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.

COMMUNITY COMMITTEE

1. The Community Committee ('the Committee') shall consist of six councillors and, as provided for by Standing Order 61, 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:

   The promotion of community wellbeing and civic pride (except those expressly referred to any other committee), volunteer programmes, community group support, community communication and engagement, community grant schemes (except for Large Grants), the Town Awards, Social Issues (including healthcare, education, social behaviour and quality of life)

4. The Committee may authorise expenditure in accordance with the budget approved by Council.

5. The Committee shall annually, by 31st October, 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.

ENVIRONMENT AND TRANSPORT COMMITTEE

1. The Environment and Transport Committee ('the Committee') shall consist of six councillors and, as provided for by Standing Order 61, 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; environment, climate change and biodiversity; non-council owned open space, highways, heritage and Active Travel and transport.

4. The Committee may authorise expenditure in accordance with the budget approved by Council.

5. The Committee shall annually, by 31st October, 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 61, and the chairmen of the Assets and Operations, Community, Environment and Transport, Events, Finance, Personnel, Planning, and Town Centre 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.

EVENTS COMMITTEE

1. The Events Committee ('the Committee') shall consist of six councillors and, as provided for by Standing Order 61, 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:

   Celebrations and town events including the Christmas Market.

4. The Committee may authorise expenditure in accordance with the budget approved by Council.

5. The Committee shall annually, by 31st October, 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.

FINANCE COMMITTEE

1. The Finance Committee ('the Committee') shall consist of five councillors and, as provided for by Standing Order 61, 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, the allocation of Large Grants (as defined by the council's grants policy), 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 wellbeing 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 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, by 31st December, 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 five councillors and, as provided for by Standing Order 61 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:

   Management of staff (e.g. discipline, staff welfare, remuneration, recruitment, training etc.) Compliance with the Data Protection and Freedom of Information Acts. Councillor training and development.

4. The Committee shall annually by 31st October, agree a recommended budget for the forthcoming financial year which will be presented for consideration by the Finance Committee.

5. The Committee may authorise expenditure in accordance with the budget approved by Council.

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

PLANNING COMMITTEE

1. The Planning Committee ('the Committee') shall consist of six councillors and, as provided for by Standing Order 61 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:

   any planning or licensing consultation referred to it in accordance with Standing Orders, the monitoring and review of the Knutsford Neighbourhood Plan, local and national planning policy

4. The Committee has no authority to commit expenditure.

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

TOWN CENTRE COMMITTEE

1. The Town Centre Committee ('the Committee') shall consist of seven councillors and, as provided for by Standing Order 61, 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 and the development of a Town Centre masterplan, Christmas illuminations and Markets (excluding the Christmas Market but including the Market Hall (except the long-term management of the asset), Makers Market and market licensing)

4. The Committee may authorise expenditure in accordance with the budget approved by Council.

5. The Committee shall annually, by 31st October, 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.

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 61, and the chairmen of the Assets and Operations, Community, Environment and Transport, Events, Finance, Personnel, Planning, and Town Centre Committees

2. The quorum for the Committee shall be three members.

3. The Committee shall meet only in accordance with Standing Order 50.

4. The Committee may decide all matters on behalf of the Council as per Standing Order 50.

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.

ANNEX D: ELECTION OF TOWN MAYOR AND DEPUTY TOWN MAYOR

Notwithstanding the statutory provisions relating to the same, the election of the Town Mayor and Deputy Town Mayor shall be in accordance with the following.

Election of Town Mayor

Subject to his consent, the Deputy Town Mayor shall be elected Town Mayor on the condition he continues to meet the qualification criteria for Deputy Town Mayor.

In the event of the Deputy Town Mayor not meeting these requirements or not consenting to be elected Town Mayor, then he who would qualify to be elected Deputy Town Mayor shall be elected Town Mayor.

Election of Deputy Town Mayor

The Deputy Town Mayor shall be the member with the longest continuous service on the council subject to meeting the following qualification criteria:

a) He must have served as Chairman to at least one committee during his current term of office[1]
b) He must have a good attendance record at both Council and committee meetings
c) He must not have been subject of an upheld grievance or upheld code of conduct complaint within the preceding two years

The length of continuous service for a councillor who serves as Town Mayor shall be reset when the next Town Mayor is elected.

In the event of two or more councillors meeting the qualification criteria the Deputy Town Mayor shall be determined by which councillor's surname comes first alphabetically.

In the event of him not wishing to be elected Town Mayor the Deputy Town Mayor is not eligible to continue as Deputy Town Mayor for a continuous term.

NB: It is not permissible for the Deputy Town Mayor to serve as Consort/Mayoress during his term of office.

[1] At the Annual Council Meeting following the ordinary elections, this shall be read to be his term of office immediately prior.