



## **GRAIG COMMUNITY COUNCIL**

### **Standing Orders**

#### **Standing Order No. 1 – Meetings**

- (i) The Statutory Annual Meeting of the Council (a) in any election year shall be held on, or within fourteen days after the ordinary day of election to the Council and (b) in a year which is not an election year, shall be held on any day in May, all such Meetings to commence at 7pm.
- (ii) In addition to the Annual General Meeting of the Council and any Meetings convened by the Chairman or by duly elected Members of the Council (Members) in accordance with (iii) of this Standing Order, Meetings for the transaction of general business shall be held in each year on the last *Wednesday* of every month. The Council may however, vary the dates and times of Meetings, together with the venues by approval of at least two-thirds of the full Council (ten Members).
- (iii) An extraordinary meeting of the Council may be called at any time by the Chairman. If the Chairman refuses to call an extraordinary Meeting of the Council after a requisition for that purpose, setting out the business to be transacted signed by one-third (five Members) of the Council, has been presented to him, or if, without so refusing the Chairman does not call an extraordinary Meeting within seven days after the requisition has been presented to him, then any five Members of the Council on that refusal or on the expiration of those seven days, as the case may be, may forthwith call an extraordinary Meeting of the Council. No business shall be considered at any extraordinary Meeting save such as shall be specified in the Notice convening the Meeting.

#### **Standing Order No. 2 – Chairman of the Meeting**

The person presiding at the Meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the Meeting.

#### **Standing Order No. 3 – Proper Officer**

Where a statute, regulation or order confers functions or duties on the Proper Officer of the Council in the following cases, he/she shall be the Clerk:

- (a) To receive declaration of acceptance of Office.
- (b) To receive and record Notices disclosing pecuniary/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 bye laws made by the City Council.
- (f) To certify copies of bye laws made by the Council.
- (g) To sign and issue the Summons to attend Meetings of the Council.
- (h) To provide a Minute Book for recording the proceedings of Meetings.

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

#### **Standing Order No. 4 – Quorum**

Five Members (one third of the Council) shall constitute a quorum. (The quorum for any Committees or Sub-Committees shall be one third of its Members). If a quorum is not present when the Council, its Committees or Sub-Committees meets or if during a Meeting a number of Members present falls below the quorum, the business not transacted at that Meeting shall be transacted in the next Meeting or on such other day as the Chairman may fix.

Approval Date: 28th March 2016      Chairman:      Witness:



**Standing Order No. 5 – Voting**

Members shall vote by a show of hands, or, if at least two Members so request, by signed ballot.

If a Member so requires, the Clerk shall record the names of the Members who voted on any question so as to show whether they voted for or against it.

- (1) Subject to (2) and (3) below the Chairman may give an original vote on any matter put to the vote.
- (2) Subject to (3) below the Chairman may not give an original vote in the election of the Chairman on any occasion when he himself immediately after such election, retire from the Council.
- (3) In any case of the equality of votes, the Chairman may give a casting vote.

**Standing Order No. 6 – Order of Business**

- (i) At each Annual Meeting the first business following the election of the Chairman and Vice Chairman shall be:
  - (a) To receive the Chairman's declaration of Office.
  - (b) To appoint delegation to various area Committees.
  - (c) To appoint Statutory or Standing Committees.
- (ii) At every Meeting other than the Annual Meeting, the first business shall be to appoint a Chairman if the Chairman and the Vice Chairman are absent and to receive such declaration of acceptance of office (if any) as required by law to be made, or if then not received to decide when they shall be received.
- (iii) After the first business has been completed, the order of business, unless the Council otherwise decides on the grounds of urgency, shall be as follows:
  - (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, which shall be at least three days before the date of the Meeting, the Minutes may be taken as read.
  - (b) After consideration, to approve the signature of the Minutes by the presiding Chairman as a correct record.
  - (c) To deal with business expressly required by statute to be done.
  - (d) To authorise the signing of orders of payment.
  - (e) To consider motions or recommendations in the order in which they have been notified.
  - (f) To answer questions.
  - (g) To dispose of business, if any, remaining from the last Meeting.
  - (h) To receive and consider reports and Minutes of Committees and Advisory Committees.
  - (i) To receive such communications as the presiding Chairman may wish to lay before the Council.
  - (j) To receive and consider reports from Officers of the Council.
  - (k) To authorise the sealing of any documents.
  - (l) Any other business specified in the summons.
- (iv) A motion to vary the order of business on the grounds of urgency.
  - (a) may be proposed by the Chairman or by any Member, and if proposed by the Chairman, may be put to the vote without being seconded.
  - (b) Shall be put to the vote without discussion.



**Standing Order No. 7 – Resolution moved on Notice**

- (1) Except as provided by these Standing Orders, no resolution may be moved unless the mover has given notice in writing of terms and has delivered the notice to the Clerk at least ten clear days before the Meeting of the Council.
- (2) The Clerk shall date every notice of Motion or Recommendation when received by him, shall number each Notice in the order in which it was received and shall enter it in a book which shall be open to the inspection of every Member of the Council.
- (3) The Clerk shall insert in the summons for every Meeting all notices of motion or recommendations properly given in the order in which they have been received unless the Member giving notice of a motion has stated in writing that he intends to move at some later Meeting or that he withdraws it.
- (4) If a resolution or recommendation specified in the summons be not moved, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.
- (5) Every resolution or recommendation shall be relevant to some question over which the Council has power or which affects its area.

**Standing Order No. 8 – Resolutions moved without Notice**

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 motion or any amendment.
- (m) To extend the time limit for speeches.
- (n) To consider otherwise than in committee a question affecting an employee of the Council.
- (o) To exclude the press.
- (p) To exclude the public.
- (q) To silence or eject from the Meeting a Member named for misconduct.
- (r) To invite a member having an interest in the subject matter under debate to remain.
- (s) To give consent of the Council where such consent is required by these Standing Orders.

**Standing Order No. 9 – Questions**

A Member may ask the Chairman any question concerning the business of the Council.

Every question shall be answered without discussion.

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



### **Standing Order No. 10 – Rules of Debate**

- (1) No discussion shall take place upon the Minute except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chairman.
- (2)
  - (a) A resolution or amendment shall not be discussed unless it has been proposed and unless proper notice has already been given, it shall, if required by the Chairman be reduced to writing and handed to him before it is further discussed or put to the Meeting.
  - (b) A Member shall direct his speech to the question under discussion or to a personal explanation or to a question of order.
  - (c) An amendment shall be either –
    - (j) To leave out words.
    - (ii) To leave out words and insert or add others.
    - (iii) To insert or add words.
  - (d) An amendment shall not have the effect of negating the motion before Council.
  - (e) If the 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.
  - (f) A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
  - (g) The mover of a resolution or of an amendment shall have a right of reply.
  - (h) A Member, other than the mover of a resolution, shall not, without leave of the Council, speak more than once on any resolution except to move an amendment, or further amendment, or on an amendment, or on a point of order or in a personal explanation, or to move the closure.
  - (i) A Member may rise to make a point of order or a personal explanation. A personal explanation shall be confined to some material part of a former speech by him which may have been misunderstood. A Member rising for these purposes shall be heard forthwith.
  - (j) A motion or amendment may be withdrawn by the proposer with the unanimous 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.
  - (k) When the 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 or the press or both.
    - (ix) To adjourn the meeting.

### **Standing Order No. 11 – Closure**

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 not adjourn”.

Approval Date: 28th March 2016      Chairman:      Witness:



If such a motion is seconded and if the Chairman is of the opinion that the question before the Council has been sufficiently debated (but not otherwise), he shall, forthwith put the motion. 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.

### **Standing Order No 12 – Disorderly Conduct**

- (1) No Member shall misconduct himself at a Meeting by persistently disregarding the ruling of the Chairman, by wilfully obstructing business or by behaving irregularly, offensively, improperly or in such a manner as to scandalise the Council or bring it into contempt or ridicule.
- (2) All Members must observe the Code of Conduct which was adopted by the Council, a copy of which is annexed to these Standing Orders and provided to each new Member on induction to the post.
- (3) If, in the opinion of the Chairman, a Member has broken the provisions of Paragraph (1) of this Order, the Chairman shall express that opinion to the Council and thereafter any Member may move that the Member named be no longer heard or that the Member named do leave the Meeting, and the motion if seconded, shall be put forthwith and without discussion. If a Member reasonably believes another Member is in breach of the Code of Conduct, that Member is under duty to report the breach to the Local Commissioner.
- (4) If either of the motions mentioned in Paragraph (3) of this order is disobeyed, the Chairman may adjourn the meeting or take such further steps as may reasonably be necessary to enforce them.

### **Standing Order No. 13 – Right of Reply**

The mover of a resolution shall have the right of 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 the 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.

### **Standing Order No. 14 – Alteration of Resolution**

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

### **Standing Order No. 15 – Rescission of Previous Resolution**

- (a) A decision (whether affirmative or negative) of the Council shall not be reversed within six months save by special resolution, the written notice whereof bears the names of at least five Members of the Council.
- (b) When a special resolution has been disposed of, no similar resolution may be moved within a further six months.
- (c) This Standing Order shall not apply to resolutions moved in pursuance of the report or recommendation of a Committee.

### **Standing Order No. 16 – Voting on Appointments**

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.



### Standing Order No. 17 – Accounts and Financial Statement

- (1) Except as provided in Paragraph (3) of this Standing Order or by statute, all accounts for payment and claims upon the Council shall be laid before the Council.
- (2) Orders for the payment of money shall be authorised by resolution of the Council and signed by two Members.
- (3) Where it is necessary to make payment before it has been authorised by the Council, such payment shall be certified as to its correctness and urgency by the Clerk who must seek the approval of the Chairman or Vice Chairman before payment can be authorised.
- (4) All payments ratified under Paragraph (2) of this Standing Order shall be separately included in the next schedule of payments before the Council.
- (5) The Clerk shall supply to each Member as soon as practicable after March 31<sup>st</sup> in each year a statement of receipts and payments of the Council for the completed financial year. A Financial Statement prepared on the appropriate accounting basis for a year to 31<sup>st</sup> March shall be presented to each Member before the end of the following month of May. The Statement of Accounts of the Council (which is subject to external audit) shall be presented to the Council for approval prior to submitting to the Council's Internal Auditor for scrutiny. On completion of the Internal Audit, the accounts shall be presented to Council during the month of August for formal approval and signing of the Annual Return prior to submitting to External Audit within the given deadline.

### Standing Order No. 18 – Financial Matters

The Council shall consider and approve Financial Regulations drawn up by the Responsible Financial Officer.

- (1) Such Regulations shall include detailed arrangements for the following:
  - (a) the accounting records and systems of internal control;
  - (b) the assessment and management of risks faced by the Council;
  - (c) the work of the Internal Auditor and the receipt of regular reports from the Internal Auditor which shall be required annually;
  - (d) the financial reporting requirements of Members and local electors and
  - (e) procurement policies (subject to Paragraph (2) below of this Standing Order) including the setting of values for different procedures where a contract has an estimated value less than £2,500.
- (2) Any proposed contract for the supply of goods, materials, services and the execution of works within an estimated value below:
  - £500 shall be at the discretion of the Chairman and Clerk for ad-hoc expenses.
  - Between £500 and £1000 shall be procured on the basis of 2 written estimates for costs.
  - Between £1000 and £5000 shall be procured on the basis of 3 written estimates for costs.
  - Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £5000 shall be procured on the basis of a formal tender as summarised in Paragraph (3) below of this Standing Order.
- (2) Where it is intended to enter into an ongoing contract for goods or regular services exceeding the value of £2,500, the Council shall satisfy itself that at least three adequate competitive detailed tenders have been received. The Council is



not obliged to invite open tenders but must satisfy itself that sufficient tenders have been invited. The Council is not bound to accept the lowest or any tender submitted, but must give reasons for doing so.

- (4) The Financial Regulations of the Council shall be subject to regular review, at least once every four years.

#### **Standing Order No. 19 – Expenditure**

- (a) Orders for the payment of money shall be authorised by resolution of the Council and signed by Two Members.

#### **Standing Order No. 20 – Estimates/Precepts**

- (a) The Council shall hold a Special Financial Meeting each year to be held in the month of November and prior to the normal monthly Meeting of that month to discuss the forthcoming Precept allocation required for the following financial year.
- (b) All Committees or Members desiring to incur substantial expenditure which will bear upon the funds of the forthcoming Precept shall attend the Meeting or give a detailed written estimate of the expenditure recommended prior to this Meeting that it might be taken into consideration.

#### **Standing Order No. 21 – Disclosure of Interest**

If a Member has a personal interest as defined by the Code of Conduct adopted by the Council, then that interest must be declared and a decision made by the Member whether to stay or withdraw.

The Clerk shall record particulars of any notice given by any Member or any Officer of the Council of a pecuniary interest in a contract, and the record shall be open during reasonable hours of the day for the inspection of any Member.

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 Clerk.

A candidate who fails to do so may be disqualified for such appointment, and, if appointed, may be dismissed without notice. The Clerk shall report to the Council or to the appropriate Committee any such disclosure. Where relationship to a Member is disclosed the Standing Order on interests of Members in Contracts and other matters shall apply. The Clerk shall make known the purport of this Standing Order to every candidate.

#### **Standing Order No. 22 – Inspection of Documents**

- (6) A Member may, for the purpose of his duty as such (but not otherwise) inspect any document in possession of the Council and if copies are available shall, on request, be supplied for the like purpose with a copy.
- (7) All Minutes kept by the Council and by any Committee shall be open for the inspection of any Member of the Council.

#### **Standing Order No. 23 – Committees and Sub-Committees**

- (1) The Council may, at its Annual Meeting appoint Standing Committees and may at any other time appoint such Committees as are necessary, but subject to any statutory provision in that behalf:-
  - (a) Shall not appoint any member of a Committee so as to hold office later than the next Annual Meeting.



- (b) May appoint persons other than Members of the Council to any Committee;  
and
  - (c) May subject to the provisions of Standing Order 16 above at any time dissolve or alter the membership of Committee.
- (3) The Chairman and Vice Chairman, ex-officio, shall be voting members of every Committee.
- (4) Every Committee shall at its first meeting before proceeding to any other business, elect a Chairman and may elect a Vice Chairman who shall hold office until the next Annual Meeting of the Council, and shall settle its programme of meetings for the year.
- (5) Sub Committees
- (a) Every Committee may appoint Sub-Committees for the purposes specified by the Committee.
  - (b) 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.
  - (c) 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.
  - (d) The Standing Orders on rules of debate (except those parts relating to standing and speaking more than once) and the Standing Order on interests of Members in contracts and other matters shall apply to Committee and Sub-Committee meetings.
- (6) Advisory Committees
- (a) The Council may create Advisory Committees (including Community Centre Management Committees), whose name, and number of Members and the bodies to be invited to nominate Members shall be specified.
  - (b) The Clerk shall inform the Members of each Advisory Committee of the terms of reference of the Committee.
  - (c) An Advisory Committee may make recommendations and give notice thereof to the Council.
  - (d) An Advisory Committee may consist wholly of persons who are not Members of the Council.
  - (e) The Advisory Committee must hold a minimum of six meetings per year including an Annual General Meeting in the month of June.
- (7) Voting in Committees
- (a) Members of Committees and Sub-Committees entitled to vote, shall vote by a show of hands, or, if at least two Members so request, by signed ballot.
  - (b) Chairman of Committees and Sub-Committees shall in the case of equality of votes have a second or casting vote.
- (8) Presence of Non-Members of Committees at Committee Meetings  
A Member who has proposed a resolution, which has been referred to any Committee of which he is not a Member, may explain his resolution to the Committee but shall not vote.





**Standing Order No. 24 – Unauthorised Activities**

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.

**Standing Order No. 25 – Admission of the Public and Press to Meetings**

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

- (a) The Council shall state the special reason for exclusion.
- (b) At all meetings of the Council the Chairman may at his discretion and at a convenient time in the transaction of business , adjourn the meeting so as to allow members of the public to address the meeting in relation to the business to be transacted at that meeting.
- (c) The Clerk shall afford the press reasonable facilities for the taking of their report of any proceedings at which they are entitled to be present. There shall be no audio or video recording or photographs of the meeting without the express approval of Council.
- (d) 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 and may adjourn the meeting for such a period as is necessary to restore order.

**Standing Order No. 26 – Confidential Business**

- (1) No Member of the Council or of any Committee or Sub-Committee shall disclose to any person not a Member of the Council any business declared to be confidential by the Council, the Committee or Sub-Committee as the case may be.
- (2) Any Member in breach of the provisions of Paragraph (1) of this Standing Order shall be removed from any Committee or Sub-Committee of the Council by the Council.

**Standing Order No. 27 – Liaison with City Councillors**

A summons and agenda for each meeting shall be sent, together with an invitation to attend, to the City Councillors representing the Graig wards.

Unless the Council otherwise orders, a copy of each communication ordered to be sent to the City Council shall be transmitted to the City Councillor for the ward as the case may require. City Councillors have no voting rights in Community Council meetings but are expected to attend Full Council Meetings.

**Standing Order No. 28 – Planning Applications**

The Clerk shall, upon receipt, enter the application into the appropriate agenda for Council consideration at the earliest opportunity, stating the details of the application. Upon consideration by the Council, the Clerk shall inform the City Council Planning Department of the Councils comments within the timeframe stated on the application.



**Standing Order No. 29 – Code of Conduct on Complaints**

The Council shall deal with complaints of maladministration allegedly committed by the Council or by any Officer or Member by invoking Councils adopted Complaints procedure except for those complaints which should be properly directed to the Commission for Wales.

**Standing Order No. 30 – Variation, Revocation and Suspension of Standing Orders**

Any or every part of the Standing Order except those laid down by acts of Parliament may be suspended by resolution in relation to any specific item of business.

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.