



STANDING ORDERS

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INDEX TO STANDING ORDERS

| No. | | Page |
|-----|--|------|
| 1 | Meetings of the Council | 3 |
| 2 | Notice of meetings | 4 |
| 3 | Declaration of office | 5 |
| 4 | Chairman and Vice Chairman of the Council | 5 |
| 5 | Chairman of the meeting | 5 |
| 6 | Proper Officer | 6 |
| 7 | Quorum | 7 |
| 8 | Voting | 7 |
| 9 | Order of business at Council meetings | 7 |
| 10 | Motions requiring written notice | 8 |
| 11 | Motions not requiring written notice | 9 |
| 12 | Questions | 10 |
| 13 | Minutes | 10 |
| 14 | Rules of debate | 11 |
| 15 | Disorderly conduct | 13 |
| 16 | Rescission of previous resolution | 13 |
| 17 | Voting on appointments | 13 |
| 18 | Discussions and resolutions affecting employees of the Council | 13 |
| 19 | Execution and sealing of legal deeds | 13 |
| 20 | Committee Task & Finish groups | 14 |
| 21 | Advisory Committees | 15 |
| 22 | Powers of committees | 15 |
| 23 | Attendance of non-members at Committee meetings | 15 |
| 24 | Code of conduct | 16 |
| 25 | Canvassing of and recommendations by Councillors | 16 |
| 26 | Inspection of documents | 17 |
| 27 | Unauthorised activities | 17 |
| 28 | Confidential business | 17 |
| 29 | Estimates | 17 |
| 30 | Staff salaries and wages | 17 |
| 31 | Accounts for payments and cheques | 18 |
| 32 | Receipts | 18 |
| 33 | Accounts and Financial Statements | 18 |
| 34 | Financial matters | 19 |
| 35 | General Power of Competence | 20 |
| 36 | Freedom of Information Act 2000 | 20 |
| 37 | Relations with the press/media | 21 |
| 38 | Allegations of breaches of the code of conduct | 21 |
| 39 | Variation, revocations and suspension of standing orders | 21 |
| 40 | Absences from meetings | 21 |
| 41 | Council vacancy | 22 |
| 42 | Standing orders to be given to members | 22 |
| | Appendix A – Committee Terms of Reference | 23 |
| | Annex to Standing Orders | 29 |

1 MEETINGS OF THE COUNCIL

- 1.1 In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the new Councillors are elected to take office.**
- 1.2 In a year which is not an election year, the annual meeting of the Council shall normally be held on the third Monday, or such day in May as the Council may direct.**
- 1.3 Ordinary meetings of the Council (including the three other statutory meetings) shall be held at 7.30pm on the fourth Monday in the month, except May and August, unless otherwise determined by the Council.**
- 1.4 The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
- 1.5 If the Chairman of the Council does not or refuses to call an extraordinary meeting of the Council within 7 days of having been requested to do so by two Councillors, those two Councillors may convene an extraordinary meeting of the Council. The statutory public notice, giving the time, venue and agenda for such a meeting must be signed by the two Councillors.**
- 1.6 The Chairman of a committee may convene an extraordinary meeting of that committee at any time.
- 1.7 If the Chairman of a committee does not or refuses to call an extraordinary meeting within 7 days of having been requested by to do so by two Councillors, those two Councillors may convene an extraordinary meeting of that committee. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two Councillors.
- 1.8 All meetings of the Council and Committees shall be held at the Civic Hall, Uppermill, unless otherwise previously determined.**
- 1.9 Minutes of the Council and Committee meetings will be taken by the Proper Officer.
- 1.10 The public and press shall be admitted to all meetings of the Council and its committees. In accordance with The Public Bodies (Admission to Meetings) Act 1960, the press and public may be excluded when confidential business is being considered. This should normally only be done on the grounds of commercial sensitivity or staffing issues. The confidential business should normally be at the end of a meeting and kept to a minimum. An explanation of the reasons for exclusion should be given by the Chairman and should be minuted.**
- 1.11 In accordance with standing order 1.10 above, the press shall be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**

- 1.12 If a member of the public interrupts the proceedings at any time, the Chairman may, after warning, order that he/she be removed from the Council Chamber.
- 1.13 Public Question Time – before any ordinary Council meeting 15 minutes will be set aside for members of the public to ask questions and comment on matters relevant to Saddleworth or the activities of the Council or its Committees. The following rules shall apply:
- a) Members of the public wishing to speak should address their questions in writing (by letter or e-mail) to the “Clerk to the Council” preferably 2 full working days (i.e. excluding Saturdays, Sundays and public holidays) prior to the day of the meeting;
 - b) The Clerk will determine if the question submitted is eligible;
 - c) Any members of the public invited to speak will be permitted to speak for no more than three minutes;
 - d) In the event of more than five members of the public wishing to address the Council the priority will be at the discretion of the Chairman;
 - e) The time for questions and comments may be extended at the discretion of the Chairman;
 - f) No decisions will be taken at this part of the meeting.

2 NOTICE OF MEETINGS

- 2.1 **Notice of the time and place of any meeting of the Council or a meeting of a committee shall be published at least 3 clear days before the meeting in some conspicuous place in the Parish.** Where the meeting is called by members of the Council the notice shall be signed by those members and shall specify the business proposed to be transacted. A summons to attend the meeting, specifying the business proposed to be transacted, and signed by the Proper Officer of the Council, shall be left at or sent by post to the usual place of residence of every member of the Council. The failure to serve a summons on any Councillor does not affect the validity of a meeting. Notice of the meeting and supporting documents excluding any confidential items, shall at the same time be sent to the local news media organisations.
- 2.2 Minutes of any committee which has been held within seven days or less before a meeting may be issued to members at the meeting, provided that notice of them has been given in the summons.
- 2.3 Business not included in the notice (Agenda) of a meeting may only be discussed without resolution at the meeting of the Council or its committees. Specified items of business must be given to the Proper Officer prior to the distribution of the notice (Agenda) which is usually seven days prior to the meeting. Non-specified items raised may be investigated and included in the notice (Agenda) at a future meeting of the Council.

3 DECLARATION OF OFFICE

- 3.1 All members of the Council shall as soon as possible after election, make the statutory Declaration of Acceptance of Office, and shall not be qualified to act until this has been done.
- 3.2 The Chairman of the Council shall make the Declaration of Acceptance of Office immediately after his or her election at the Annual or other meeting.

4 CHAIRMAN AND VICE CHAIRMAN OF THE COUNCIL

- 4.1 **The election of the Chairman and Vice-Chairman of the Council shall be the first business completed at the annual meeting of the Council.**
- 4.2 **The Chairman of the Council, unless he/she has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until their successor is elected at the next annual meeting of the Council.**
- 4.3 **In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he/she shall preside at the meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but must give a casting vote in the case of an equality of votes.**
- 4.4 **In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he/she shall preside at the meeting until a new Chairman of the Council has been elected. He/she may exercise an original vote in respect of the election of the new Chairman of the Council and must give a casting vote in the case of an equality of votes.**
- 4.5 **The Vice-Chairman of the Council, unless he/she resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.**
- 4.6 **Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman may in his absence be done by, to or before the Vice-Chairman.**

5 CHAIRMAN OF THE MEETING

- 5.1 **The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.**

6 PROPER OFFICER

6.1 The Council's Proper Officer shall be either:

- a) the Clerk or such other employee as may be nominated by the Council from time to time; or
- b) such other employee appointed by the Council to undertake the role of the Proper Officer during the Proper Officer's absence.

The Proper Officer and the employee appointed to act as such during the Proper Officer's absence shall fulfil the duties assigned to the Proper Officer in standing orders.

6.2 The Council's Proper Officer shall do the following:

- a) **Sign and serve on Councillors by delivery (including e-mail) or post at their residences a summons confirming the time, date, venue and the agenda of a meeting of the Council and a meeting of a committee and at least 3 clear days before the meeting;**
- b) **Give public notice of the time, date, venue and agenda at least 3 clear days before a meeting of the Council or a meeting of a committee (provided that the public notice with agenda of an extraordinary meeting of the Council convened by Councillors is signed by them);**
- c) Subject to standing orders 10.1 to 10.5 below, include in the agenda all motions in the order received unless a Councillor has given written notice at least seven days before the meeting confirming his / her withdrawal of it;
- d) **Convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his / her office, in accordance with standing order 6.1 or 6.2 above;**
- e) Make available for inspection the minutes of meetings;
- f) **Receive and retain copies of byelaws made by other local authorities;**
- g) **Receive and retain declarations of acceptance of office from Councillors;**
- h) Retain a copy of every Councillor's register of interests and any changes to it and keep copies of the same available for inspection;
- i) Keep proper records required before, during and after meetings;
- j) Process all requests made under the Freedom of Information Act 2000 and Data Protection Act 1998, in accordance with and subject to the Council's procedures relating to the same;

- k) Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- l) Manage the organisation, storage of and access to information held by the Council in paper and electronic form;
- m) Arrange for legal deeds to be signed by 2 Councillors and witnessed;**
- n) Arrange for the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations;
- o) Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.

6.3 The Proper Officer shall be the Responsible Financial Officer of the Council

7 QUORUM

7.1 No business may be transacted at a meeting unless at least one third of the whole number of members of the Council / Committee are present and in no case shall the quorum of a meeting be less than 3.

7.2 If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be adjourned. Any outstanding business of a meeting so adjourned shall be transacted at a following meeting.

8 VOTING

8.1 Unless standing orders provide otherwise, voting on any question shall be by a show of hands or, if at least two members so request, by ballot.

8.2 At the request of a Councillor, the voting on any question shall be recorded so as to show whether each Councillor present and voting gave his/her vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.

8.3 The Chairman may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote.

9 ORDER OF BUSINESS AT COUNCIL MEETINGS

9.1 Every ordinary meeting of the Council shall:

- a) Receive and note apologies for absence. (These must normally be notified to the Proper Officer before the commencement of the meeting). This shall not constitute approval of absence (see 40.2);

- b) Consider and approve as a correct record the Minutes of the previous meeting of the Council (and the Annual Meeting when appropriate);
- c) Deal with any matter expressly required by statute to be done;
- d) Dispose of business, if any, remaining from the last meeting;
- e) Receive such communications as the person presiding may wish to lay before the Council;
- f) Receive and note minutes and consider reports from committees;
- g) Receive and consider reports from the Proper Officer or officers of the Council;
- h) Consider resolutions or recommendations in the order in which they have been notified;
- j) Consider other business specified in the summons.

10 MOTIONS REQUIRING WRITTEN NOTICE

- 10.1 In accordance with standing order 6.3 above, no motion may be moved at a meeting unless it is included in the agenda and the mover has given written notice of its wording to the Council's Proper Officer at least five clear days before the next meeting.
- 10.2 The Proper Officer may, before including a motion in the agenda received in accordance with standing order 10.1 above, correct obvious grammatical or typographical errors in the wording of the motion.
- 10.3 If the Proper Officer considers the wording of a motion received in accordance with standing order 10.1 above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer in clear and certain language at least five clear days before the meeting.
- 10.4 If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer 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 motion shall be included or rejected in the agenda.
- 10.5 Having consulted the Chairman or Councillors pursuant to standing order 10.4 above, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.
- 10.6 Notice of every motion received in accordance with the Council's standing orders shall be numbered in the order received recorded. The record shall be open to inspection by all Councillors.

- 10.7 Where a motion is rejected the Proper Officer will record the reasons for its rejection. The record shall be open to inspection by all Councillors.
- 10.8 Every motion and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area or its residents.

11 MOTIONS NOT REQUIRING WRITTEN NOTICE

- 11.1 Motions in respect of the following matters may be moved without written notice:
- a) To appoint a person to preside at a meeting;
 - b) To approve the absences of Councillors;
 - c) To approve the accuracy of the minutes of the previous meeting;
 - d) To correct an inaccuracy in the minutes of the previous meeting;
 - e) To dispose of business, if any, remaining from the last meeting;
 - f) To alter the order of business on the agenda for reasons of urgency or expedience;
 - g) To proceed to the next business on the agenda;
 - h) To close or adjourn debate;
 - i) To refer by formal delegation a matter to a committee or to a task and finish group or an employee;
 - j) To appoint a committee or task and finish group or any Councillors (including substitutes) thereto;
 - k) To receive nominations to a committee or task and finish group;
 - l) To dissolve a committee or task and finish group;
 - m) To note the minutes of a meeting of a committee;
 - n) To consider a report and/or recommendations made by a committee or a task and finish group or an employee;
 - o) To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant;
 - p) To authorise legal deeds to be signed by two Councillors and witnessed;
 - q) To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it;

- r) To extend the time limit for speeches;
- s) To exclude the press and public for all or part of a meeting;
- t) To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct;
- u) To give the consent of the Council if such consent is required by standing orders;
- v) To suspend any standing order except those which are mandatory by law;**
- w) To adjourn the meeting;
- x) To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies;
- y) To answer questions from Councillors.

11.2 If a motion falls within the terms of reference of a committee within the delegated powers conferred on an employee, a referral of the same may be made to such committee or employee provided that the Chairman may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

12 QUESTIONS

- 12.1 A Councillor may seek an answer to a question concerning any business of the Council provided 7 clear days' notice of the question has been given to the Proper Officer.
- 12.2 Questions not related to items of business on the agenda for a meeting shall only be asked during the part of the meeting set aside for such questions.
- 12.3 Every question shall be put and answered without discussion.

13 MINUTES

- 13.1 If a copy of the draft minutes of a preceding meeting has been circulated to Councillors no later than the day of service of the summons to attend the scheduled meeting they shall be taken as read.
- 13.2 No discussion of the draft minutes of a preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the minutes shall be raised in accordance with standing order 11.1(d) above.
- 13.3 Minutes, including any amendment to correct their accuracy, 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.

- 13.4 Upon a resolution which confirms the accuracy of the minutes of a meeting, any previous draft minutes or recordings of the meeting shall be destroyed.

14 RULES OF DEBATE

- 14.1 Motions included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Chairman's direction for reasons of expedience.
- 14.2 Subject to standing orders 10.1 to 10.5 above, a motion shall not be considered unless it has been proposed and seconded.
- 14.3 Subject to standing order 6.2(c) above, a motion included in an agenda not moved by the Councillor who tabled it, may be treated as withdrawn.
- 14.4 A motion to amend an original or substantive motion shall not be considered until the original or substantive motion has been seconded and the amendment, shall, if required by the Chairman, be submitted in writing, handed to the Chairman and read to the meeting by the Proper Officer without interruption before any debate shall take place
- 14.5 The Chairman shall determine the order in which amendments are considered.
- 14.6 A Councillor may move amendments to his own motion. If a motion has already been seconded, an amendment to it shall be with the consent of the seconder.
- 14.7 A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration.
- 14.8 One or more amendments may be discussed together if the Chairman considers this expedient but shall be voted upon separately.
- 14.9 If an amendment is not carried, other amendments shall be moved in the order directed by the Chairman. If an amendment is carried, the original motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.
- 14.10 The Chairman shall control the meeting avoiding interruption, repetition, or deviation. Councillors that have not spoken on a motion or amendment shall usually be given precedent to Councillors that have already spoken.
- 14.11 No speech shall exceed three minutes except by consent of the Chairman.
- 14.12 During the debate of a motion, a Councillor may interrupt only on a point of order or a personal explanation and the Councillor who was interrupted shall stop speaking. A Councillor raising a point of order shall identify the standing order which he/she considers has been breached or specify the irregularity in the meeting he/she is concerned by.

- 14.13 A point of order shall be decided by the Chairman and his/her decision shall be final.
- 14.14 With the consent of the seconder and/or of the meeting, a motion or amendment may be withdrawn by the proposer. A Councillor shall not speak upon the said motion or amendment unless permission for the withdrawal of the motion or amendment has been refused.
- 14.15 When a Councillor's motion is under debate no other motion shall be moved except:
- a) to amend the motion;
 - b) to proceed to the next business;
 - c) to adjourn the debate;
 - d) to put the motion to a vote;
 - e) to ask a person to be silent or for him/her to leave the meeting;
 - f) to refer a motion to a committee or task and finish group for consideration;
 - g) to exclude the public and press;
 - h) to adjourn the meeting;
 - i) to suspend any standing order, except those which are mandatory.
- 14.16 In respect of standing order 14.14(d) above, the Chairman shall first be satisfied that the motion has been sufficiently debated before it is seconded and put to the vote. The Chairman shall call upon the mover of the motion under debate to exercise or waive his/her right of reply and shall put the motion to the vote after that right has been exercised or waived. The adjournment of a debate or of the meeting shall not prejudice the mover's right of reply at the resumption.
- 14.17 A member shall stand in the Council when speaking unless for reason of disability or discomfort or permitted otherwise by the Chairman.
- 14.18 Members shall address the Chairman:
- a) If two or more members rise, the Chairman shall call upon one of them to speak and the others shall resume their seats;
 - b) Whenever the Chairman rises during a debate all other members shall be seated and silent;
 - c) Members may indicate a desire to speak by raising their hands and the Chairman shall call upon them to do so in the order in which this has been done, subject however that he shall as far as possible preserve a

balance between opposing points of view during the debate.

15 DISORDERLY CONDUCT

- 15.1 No person shall obstruct the transaction of business at a meeting or behave offensively or improperly.
- 15.2 If, in the opinion of the Chairman, there has been a breach of standing order 15.1 above, the Chairman shall express that opinion and thereafter any Councillor (including the Chairman) may move that the person be silenced or excluded from the meeting, and the motion, if seconded, shall be put forthwith and without discussion.
- 15.3 If a resolution made in accordance with standing order 15.2 above, is disobeyed, the Chairman may take such further steps as may reasonably be necessary to enforce it and/or he/she may adjourn the meeting.

16 RESCISSION OF PREVIOUS RESOLUTION

- 16.1 A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months except either by a special motion, the written notice whereof bears the names of at least five Councillors of the Council, or by a motion moved in pursuance of the report or recommendation of a committee.
- 16.2 When a special motion or any other motion moved pursuant to standing order 16.1 above has been disposed of, no similar motion may be moved within a further 6 months.

17 VOTING ON APPOINTMENTS

- 17.1 Where more than 2 persons have been nominated for a position to be filled by the Council, other than a staff appointment, and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. Any tie may be settled by the Chairman's casting vote.

18 DISCUSSIONS AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL

- 18.1 If a meeting considers any matter personal to a Council employee, it shall not be considered until the Council or the committee has decided whether or not the press and public shall be excluded pursuant to standing order 1.10 above.

19 EXECUTION AND SEALING OF LEGAL DEEDS

- 19.1 A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.

- 19.2 In accordance with a resolution made under standing order 19.1 above, any two members of the Council, may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.

20 COMMITTEE TASK AND FINISH GROUPS

- 20.1 The Council may, at its annual meeting, appoint standing committees and may at any other time appoint such other committees as may be necessary, and:
- a) shall determine their terms of reference;
 - b) may permit committees to determine the dates of their meetings;
 - c) shall appoint and determine the term of office of Councillor or non-Councillor members of such a committee (unless the appointment of non-Councillors is prohibited by law) so as to hold office no later than the next annual meeting;
 - d) may in accordance with standing orders, dissolve a committee at any time. Unless there is a Council resolution to the contrary, every committee may appoint a task and finish group whose terms of reference and members shall be determined by resolution of the committee.
- 20.2 Unless the conviction has been quashed, a Councillor found guilty within the preceding four years of a criminal offence involving the abuse of children or vulnerable adults may not serve on any sub-committee of the Council. Neither shall they serve on any joint or external bodies as a representative of the Council.
- 20.3 A Councillor may appoint a substitute Councillor, who is eligible to serve on that committee, to attend a committee meeting if they have confirmed to the Proper Officer prior to the start of the meeting that they are unable to attend.
- 20.4 A member of a committee who has been replaced at a meeting by a substitute member in accordance with standing order 20.2 above shall not be permitted to participate in debate or vote on business at that meeting and may only speak during any public participation session during the meeting.
- 20.5 The committees of the Council shall be:
- a) Planning Committee;
 - b) Finance Committee;
 - c) Estates Committee;
 - d) Communications Committee;
 - e) Environment Committee (jointly with DP);
 - f) Traffic & Transport Committee (jointly with the DP);

- g) Strategic Planning Committee (jointly with DP);
 - h) Staffing Committee;
 - i) Disciplinary Committee;
 - j) Appeals Committee;
- 20.6 The membership, frequency of meetings and terms of reference of the Committees is attached at Appendix A

21 ADVISORY COMMITTEES

- 21.1 The Council may appoint advisory committees comprised of a number of Councillors and non-Councillors.
- 21.2 Advisory committees may consist wholly of persons who are non-Councillors.
- 21.3 Conservation Areas Advisory Committee.
- 21.4 The membership, frequency of meetings and terms of reference of the Committee is attached at Appendix A.

22 POWERS OF COMMITTEES

- 22.1 The Planning Committee shall have delegated powers to make recommendations on all Planning applications in Saddleworth submitted for its consideration and shall advise generally on all Planning matters in the area. Before a Planning Meeting any resident of Saddleworth (applicant or objector) may advise in writing (by letter or by e-mail), the Clerk to the Council no later than 2 full working days (i.e. excluding Saturdays, Sundays and public holidays) prior to the day of the Planning Meeting that they wish to address the Council regarding an application being considered at that meeting. The Clerk will wherever possible inform other interested parties that an address is to be made and invite them to attend and speak if they so wish.
- 22.2 Procedures for conducting addresses to the Planning Meeting will be those as adopted and minuted by the Council.

23 ATTENDANCE OF NON MEMBERS AT COMMITTEE MEETINGS

- 23.1 Any member of the Council may attend a meeting of a committee even though not a member thereof, and may speak if invited to do so by the Chairman, but may not vote.

24 CODE OF CONDUCT

- 24.1 All Councillors shall observe the code of conduct adopted by the Council.**
- 24.2 All Councillors shall undertake training in the code of conduct within 6 months of the delivery of their declaration of acceptance of office.
- 24.3 If paragraph 12(2) of the code of conduct contained in the Local Authorities (Model Code of Conduct) Order 2007 (SI No.1159) has been adopted by the Council or pursuant to relevant provisions in a statutory code of conduct in force at the time, Councillors may exercise the rights contained in standing order 24.4 below only if members of the public are permitted to:**
- a) make representations;**
 - b) answer questions; and**
 - c) give evidence relating to the business being transacted.**
- 24.4 Councillors with a prejudicial interest in relation to any item of business being transacted at a meeting may:**
- a) make representations;**
 - b) answer questions;**
 - c) give evidence relating to the business being transacted but must, thereafter, leave the room or chamber.**

25 CANVASSING OF AND RECOMMENDATIONS BY COUNCILLORS

- 25.1 Canvassing Councillors or the members of a committee, directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such an appointment. The Proper Officer shall disclose the requirements of this standing order to every candidate.
- 25.2 A Councillor or a member of a committee shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for promotion; but, nevertheless, any such person may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
- 25.3 This standing order shall apply to tenders as if the person making the tender were a candidate for an appointment.

26 INSPECTION OF DOCUMENTS

- 26.1 Subject to standing orders to the contrary or in respect of matters which are confidential, a Councillor may, for the purpose of his official duties (but not otherwise), inspect any document in the possession of the Council or a committee, and request a copy for the same purpose. The minutes of meetings of the Council, its committees shall be available for inspection by Councillors.

27 UNAUTHORISED ACTIVITIES

- 27.1 Unless authorised by a resolution, no individual Councillor shall in the name or on behalf of the Council, or a committee:
- a) inspect any land and/or premises which the Council has a right or duty to inspect; or
 - b) issue orders, instructions or directions.

28 CONFIDENTIAL BUSINESS

- 28.1 Councillors shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature.
- 28.2 A Councillor in breach of the provisions of standing order 28.1 above may be removed from a committee by a resolution of the Council.

29 ESTIMATES

- 29.1 The Finance Committee will prepare the draft estimates. The Council shall approve written estimates for the coming financial year at its meeting before the end of January, or such date as is required by the Borough Treasurer.
- 29.2 Any committee desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year no later than December
- 29.3 Proposals for significant additional expenditure shall be considered by the Finance Committee and reported to the Council

30 STAFF SALARIES AND WAGES

- 30.1 A report on the salary or wages and superannuation payments of each employee of the Council, including any proposals for upgrading shall be prepared by the Staffing committee, considered by the Finance Committee and submitted to the Council for approval before the commencement of each financial year. After approval by the Council, payments may continue on the

approved local government scale without further approval. Any proposed change or special payment shall be prepared by the Staffing committee, considered by the Finance Committee and submitted to the Council for approval. Nationally agreed increases applicable to employees shall be reported to the Council.

31 ACCOUNTS FOR PAYMENT AND CHEQUES

- 31.1 Except as provided in Standing Order No. 30 or paragraph 31.2 below, all accounts for payment and claims upon the Council shall be laid before the Council for approval.
- 31.2 Where it is necessary to make a payment before it has been authorised by the Council such payment shall be certified as it its correctness and urgency by the Proper Officer** and included in the next schedule of payments submitted to the Council for ratification.
- 31.3 All cheques on the Council account shall be signed by two of the authorised signatories of the Council. (Note Local Government Act 1972, Section 150 requires signature by two members).
- 31.4 The Proper Officer shall be authorised to transfer money between the Council's current and deposit or reserve accounts.
- 31.5 A petty cash account for postages and small payments of £100 or such other sum as may be determined from time to time shall be maintained on the imprest system and replenished monthly.

32 RECEIPTS

- 32.1 All moneys received for the Council shall be paid promptly into the Council's account and recorded in the books provided for that purpose. A receipt shall be issued unless not required and invoices for all debts due.

33 ACCOUNTS AND FINANCIAL STATEMENTS

- 33.1 All payments by the Council shall be authorised, approved and paid in accordance with the Council's financial regulations, which shall be reviewed at least annually.
- 33.2 The Responsible Financial Officer shall supply to each Councillor as soon as practicable after 31 March, 30 June, 30 September and 31 December in each year a statement summarising the Council's receipts and payments for the each quarter and the balances held at the end of a quarter. This statement should include a comparison with the budget for the financial year. A Financial Statement prepared on the appropriate accounting basis (receipts and payments, or income and expenditure) for a year to 31 March shall be presented to each Councillor before the end of the following month of May. The Statement of Accounts of the Council (which is subject to external audit),

including the annual governance statement, shall be presented to Council for formal approval **before 30 June.**

34 FINANCIAL MATTERS

- 34.1 **The Council shall consider and approve financial regulations** drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
- a) the accounting records and systems of internal control;
 - b) the assessment and management of financial 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 at least annually;
 - d) the inspection and copying by Councillors and local electors of the Council's accounts and/or orders of payments;
 - e) procurement policies.
- 34.2 Regard shall be had at all times to obtaining value for money, good quality and reliable workmanship in the provision of goods and services for the Council.
- 34.3 Routine orders for the supply of goods and maintenance covered by the estimates shall be placed by the Clerk or appropriate officer, together with orders for urgent repairs to the Council's assets, regarding which he/she shall consult the Chairman of the Finance Committee.
- 34.4 In the case of contracts at an estimated cost of less than £2,000 it shall be in the discretion of the committee authorising the contract whether to obtain competitive quotations in any particular case.
- 34.5 For contracts at an estimated cost of £2,000 or more, but less than £10,000 three competitive quotations shall be obtained, and **in the case of contracts costing £10,000 or more, public notice inviting tenders shall be given** in one or more newspapers circulating in the district. The Committee may also resolve to invite tenders by newspaper advertisement in other cases, if thought desirable.
- 34.6 The requirements regarding tendering may be waived by the Council, if so resolved in any particular case, the reasons for which shall be stated in the Minutes.
- 34.7 Any formal tender process shall comprise the following steps:
- a) a public notice of intention to place a contract to be placed in a local newspaper;
 - b) a specification of the goods, materials, services and the execution of works shall be drawn up;

- c) tenders are to be sent, in a sealed marked envelope, to the Proper Officer by a stated date and time;
- d) tenders submitted are to be opened, after the stated closing date and time, by the Proper Officer and at least one member of the Council;
- e) tenders are then to be assessed and reported to the appropriate meeting of Council or Committee.

34.8 Where the value of a contract is likely to exceed £138,893 (or other threshold specified by the Office of Government Commerce from time to time) the Council must consider whether the Public Contracts Regulations 2006 (SI No.5, as amended) and the Utilities Contracts Regulations 2006 (SI No. 6, as amended) apply to the contract and, if either of those Regulations apply, the Council must comply with EU procurement rules.

34.9 Advice may be sought from officers of the Borough Council or appropriate professional advisors regarding the setting of specifications and the evaluation of the tenders received.

34.10 Neither the Council or any committee is bound to accept the lowest quotation or tender or any quotation or tender, but the lowest quotation or tender should be accepted unless there are grounds for not doing so.

35 GENERAL POWER OF COMPETENCE

35.1 Before exercising the “general power of competence”, a meeting of the full Council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria required to qualify as an eligible parish Council.

35.2 The Council’s period of eligibility begins on the date that the resolution understanding order 35.1 above was made and expires on the day before the annual meeting of the Council that takes place in a year of ordinary elections.

35.3 After the expiry of its preceding period of eligibility, the Council continues to be an eligible Council solely for the purpose of completing any activity undertaken in the exercise of the general power of competence which was not completed before the expiry of the Council’s preceding period of eligibility referred to in standing order 35.2 above.

36 FREEDOM OF INFORMATION ACT 2000

36.1 All requests for information held by the Council shall be processed in accordance with the Council’s policy in respect of handling requests under the Freedom of Information Act 2000.

- 36.2 Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the chairman of the appropriate committee. The committee shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000 including exercising the powers of the Proper Officer in respect of Freedom of Information requests set out under 6.2(j) above.

37 RELATIONS WITH THE PRESS / MEDIA

- 37.1 All requests from the press or other media for an oral or written statement or comment from the Council shall be processed in accordance with the Council's policy in respect to dealing with the press and/or other media.
- 37.2 In accordance with the Council's policy in respect to dealing with the press and/or other media, the Proper Officer and the relevant committee chairman will provide press/media releases. Any press/media comment made on behalf of the Parish Council must reflect the view of the Parish Council as a whole

38 ALLEGATIONS OF BREACHES OF THE CODE OF CONDUCT

- 38.1 On receipt of a notification that there has been an alleged breach of the code of conduct the Proper Officer shall refer it to the Monitoring officer at Oldham Metropolitan Borough Council.

39 VARIATION, REVOCATIONS AND SUSPENSION OF STANDING ORDERS

- 39.1 Any or every part of the Standing Orders, except those which are mandatory by law, may be suspended by resolution in relation to any specific item of business.
- 39.2 A motion to add, vary, or revoke one or more of the Council's standing orders, not mandatory by law, shall be proposed by a special motion, the written notice which contains the names of at least five Councillors.

40 ABSENCE FROM MEETINGS

- 40.1 Councillors will lose their place on the Council if they do not attend at least one ordinary meeting of the Council throughout a period of six consecutive months from the date of their last attendance at a meeting, unless the absence was due to some reason approved by the Council in accordance with the 1972 Local Government Act.
- 40.2 To receive approval of non-attendance, a Councillor must submit to the Clerk, or in their absence, the Chairman, a request for approval by the Council for their anticipated or previous non-attendance at ordinary meetings of the Council. The request must be made in writing or by e-mail. This will be included as a specific agenda item at the next ordinary meeting of the Council. Reasons will be considered for each individual Councillor in turn. The approval

of the absence must be expressed by the Council, by resolution, before the expiry of the six month period: such approval cannot be given after that period has elapsed. Attendance at any meeting of the Council includes a meeting of a committee or joint committee on which the member is a representative. Approval may be given by the Council to a prolonged absence, in advance, for example, where a member is intending to go and live or work abroad for some considerable time. If a Councillor wants to have a reason for non-attendance considered it must be included as a specific agenda item and a vote taken at the meeting as to whether or not the reason is accepted. If the reason is accepted, the six month period re-starts.

- 40.3 The responsibility for ensuring that a member of Council does not vacate his/her office through continuous failure to attend meetings rests entirely with the individual Councillor and no-one else.

41 COUNCIL VACANCY

- 41.1 In the event of a Council vacancy arising amongst Parish Councillors, and after public notice of such vacancy has been given, in accordance with the 1972 Local Government Act and no request for a bye-election has been received, the Council shall invoke its power to co-opt a suitable person to fill that vacancy.

42 STANDING ORDERS TO BE GIVEN TO MEMBERS

- 42.1 The Proper Officer shall provide a copy of the Council's standing orders to a Councillor upon delivery of his/her declaration of acceptance of office.
- 42.2 The Chairman's decision as to the application of standing orders at meetings shall be final.
- 42.3 A Councillor's failure to observe standing orders more than 3 times in one meeting may result in him/her being excluded from the meeting in accordance with standing orders.

Parish Council Committees - Terms of reference

PLANNING COMMITTEE

The committee shall comprise 12 members, preferably each ward should be represented on the Committee. All members of the planning committee, except in exceptional circumstances, must be trained prior to taking up a seat. Any Parish Council member not on the planning committee may address the meeting or answer questions on a particular application(s) or issue(s) but must notify the clerk of their intention in advance. The committee shall meet monthly at 7:30 p.m.

Roles and Responsibilities

1. Comment on Saddleworth planning applications and advise the Planning Authority on whether a particular planning application should be approved.
2. To justify all comments and advice by reference to national and local spatial plans.
3. Receive and consider comments on planning applications from residents in Saddleworth.
4. Receive and consider advice from the Conservation Advisory Committee.
5. Comment and advise the Highways Authority on public rights of way diversion, suspension, or stopping up orders.
6. Liaise with the Local Authority or developers at a pre-application stage on specific developments.

FINANCE COMMITTEE

The committee shall comprise 9 members, being the Chairs of Estates, Environment & Communications Committee and six other Councillors, the chair of the Committee will be drawn from the six other Councillors and meet at least quarterly.

Roles and Responsibilities

1. Review the income and expenditure of the Council, performance against budget, and projected outturn and provide advice to the Full Council on performance.
2. Receive from each Committee a costed plan of activities for the next financial year in October each year.
3. Prepare an initial budget proposal in December each year
4. Produce a draft budget for consideration by the Council in January each year.
5. To receive request for expenditure and provide advice and guidance to Chairs of Committees and to the Full Council on all aspects of financial management.

6. Approve all grant payments up to 15% of the small grants budget and make recommendations to Council on grant requests in excess of this figure.
7. Review and update the financial regulations and ensure that they are observed by the Council
8. Receive and review Internal Audit reports and arrange for implementation of any recommendations.

ESTATES COMMITTEE

The committee shall comprise 9 members and meet at least six times a year

Roles and Responsibilities

1. Review and monitor the operation of the Cemetery
2. Develop a strategy for the longer term development of the Cemetery
3. In conjunction with the Finance Committee annually review the level of charges for the cemetery
4. Review the day to day operation of the Civic Hall
5. Develop and monitor a renewals and replacement plan for the Civic Hall
6. In conjunction with the Finance Committee annually review the level of charges for the use of the Civic Hall
7. Develop a strategy, and if required, a business case, for the acquisition & management of any other assets owned or operated by the Parish Council.
8. Submit to the Proper Officer a written estimate of any expenditure recommended for the coming year no later than December.
9. Administer any budget approved by the Council

COMMUNICATIONS COMMITTEE

The Committee shall comprise 5 members and meet quarterly.

Roles and Responsibilities

1. Discuss and approve items for publication in the media including “The Saddleworth Independent”, “Around Saddleworth” and “Saddleworth Monthly” and on the Parish Council website in accordance with the approved budget.
2. Formulate any publicity campaigns and present these for approval to the Council.

3. Implement any approved publicity campaigns.
4. Responsible for the appearance and content of the Parish Council web-site.
5. The Chair or delegated representative of the Committee shall assist, if necessary and practicable, the Chairs of Committees or delegated representative of those Committees and the Clerk in issuing press releases.
6. Provide advice on all communication matters
7. Submit to the Proper Officer a written estimate of any expenditure recommended for the coming year no later than December.
8. Administer any budget approved by the Council

ENVIRONMENT COMMITTEE (JOINTLY WITH THE DP)

The Committee shall comprise 9 members, normally one from each Parish Council Ward plus, preferably, one OMBC ward Councillor from each of the three OMBC wards and meet at least quarterly.

Representatives from Oldham Council Countryside Service, Groundwork Oldham & Rochdale, The Ramblers' Association, West Pennine Bridleways and Community Groups will also be invited to attend as appropriate but will not be able to vote.

Roles and Responsibilities

1. Look at strategic issues relating to Rights of Way, Recycling, Invasive Weeds, Waterways, Renewable Energy, Public Seats and Litter and make recommendations to the Parish Council and District Partnership.
2. Manage the Community Toilet Scheme.
3. Co-ordinate links with Pennine Prospects and the Peak Park Authority.
4. Refer individual minor matters to ward members to progress in accordance with established procedures.
5. Make recommendations for procedures for dealing with minor matters.
6. Submit to the Proper Officer a written estimate of any expenditure recommended for the coming year no later than December.
7. Administer any budget approved by the Council

TRAFFIC & TRANSPORT COMMITTEE (JOINTLY WITH THE DP)

The Committee shall comprise 9 members, normally one from each Parish Council Ward plus, preferably, one OMBC ward Councillor from each of the three OMBC wards and meet at least quarterly.

Representatives from OMBC/Unity Partnership, GMP and Community Groups will also be invited to attend as appropriate but will not be able to vote.

Roles and Responsibilities

1. Look at strategic issues relating to Transport, Traffic, Parking and Highways and make recommendations to the Parish Council and District Partnership.
2. Refer individual minor matters to ward members to progress in accordance with established procedures.
3. Submit to the Proper Officer a written estimate of any expenditure recommended for the coming year no later than December.
4. Administer any budget approved by the Council

STRATEGIC PLANNING COMMITTEE (JOINTLY WITH THE DP)

The Committee shall comprise 9 members, normally one from each Parish Council Ward plus, preferably, one OMBC ward Councillor from each of the three OMBC wards and meet as required.

Representatives from Community Groups will also be invited to attend as appropriate but will not be able to vote.

Roles and Responsibilities

1. Consider strategic planning issues including the Local Development Framework, Neighbourhood Plans and the Parish Plan.
2. Consider opportunities presented under the Localism Act
3. Make responses and recommendations to the Parish Council and District Partnership.
4. Submit to the Proper Officer a written estimate of any expenditure recommended for the coming year no later than December.
5. Administer any budget approved by the Council

STAFFING COMMITTEE

The Committee shall comprise 5 members and meet at least quarterly.

Roles and Responsibilities

1. Review staffing structure, remuneration, terms and conditions of service
2. Review Contracts of employment, job descriptions and person specifications
3. Review disciplinary and grievance procedures
4. Review Health & Safety at work for employees
5. Review working practices and procedures
6. Ensure that the Council complies with all legislative requirements relating to the employment of staff
7. Submit to the Proper Officer a written estimate of any expenditure recommended for the coming year no later than December.
8. Administer any budget approved by the Council

DISCIPLINARY COMMITTEE

The Committee shall comprise 5 members, including the Chairman of the Council. The Vice Chairman of the Council is not a member of this Committee. The members of this Committee will be able to sit on a Discipline / Grievance sub-committee, each sub-committee will, usually, consist of 3 members.

Roles and Responsibilities

1. To hear cases and make determinations in accordance with the Council's Grievance and Disciplinary procedures.

APPEALS COMMITTEE

The Committee shall comprise 5 members, they must not be members of the Disciplinary Committee. The members of this Committee will be able to sit on the Appeals sub-committee, each sub-committee will consist of 3 members.

Roles and Responsibilities

1. To hear appeals and make determinations in accordance with the Council's Grievance and Disciplinary procedures

CONSERVATION AREAS ADVISORY COMMITTEE

The Committee shall comprise up to 8 members including the Chairman and Vice Chairman of the Planning Committee. Members of the committee shall be appointed annually by the Full Council or at any other time. Co-opted members shall not represent any specific organisation but must be sufficiently experienced in their knowledge of local buildings, local architectural styles and relevant historical facts as well as general conservation policies. A

short presentation to the Chairman and Vice Chairman of the Planning Committee will be given by new applicants to satisfy the Council of their suitability.

Roles and Responsibilities

1. Consider all applications relating to listed buildings, conservation areas and other buildings of historical or architectural significance in Saddleworth and provide advice to the Planning Committee on these applications.
2. Justify any advice by citing relevant architectural considerations, historical facts or general conservation policies.
3. Provide advice to the Planning Committee on historical, architectural or conservation issues relating to specific applications at pre-application stage.
4. Provide advice to the Strategic Planning Committee on historical, architectural or conservation policies relating to Conservation Areas, Local Lists or Neighbourhood Plans.

Appointment of Chairman and Vice Chairman

The Chairman and Vice Chairman shall be appointed at the Annual Council meeting. As an intention, and not as a rule, the number of Chairmen / Vice Chairmen chosen from each “political group” shall be in proportion to the size of that group on the Council during that period. Candidates would normally be nominated by their “groups”.

Role of the Chairman and Vice Chairman

The Chairman’s role will be primarily ceremonial, the relevant committee chairman will usually represent the Council on issues relevant to that committee and produce press / media releases with the Clerk. Any press comment etc. made on behalf of the Parish Council must reflect the view of the Parish Council as a whole.

Committee minutes

Minutes will be approved by the next meeting of the committee. Draft minutes will be presented to Council for information. Where a committee does not have delegated powers its recommendations will be presented to the Council for them to consider. Draft minutes will be produced within 3 working days of the meeting and circulated to all those present at the meeting for comments within 3 working days, the draft minutes will then be posted on the Council web-site

Council vacancy

In the event of a Council vacancy arising amongst Parish Councillors, and after public notice of such vacancy has been given, in accordance with the 1972 Local Government Act and no request for a bye-election, the Council shall invoke its power to co-opt a suitable person to fill that vacancy.

The Council will continue the long held tradition that the nomination shall be the prerogative of the remaining Councillors in the same group as the member who had given cause for the casual vacancy. If the vacancy is from a person who is not a member of a “political group” the nomination will be determined by the full Council.

Representation of the Council

If the Chairman is unable to attend an event, the invitation will be sent to the Vice Chairman and if he/she is unable to attend it will be referred back to the Chairman for him/her to decide who should represent the Council.