

**HORSTEAD WITH STANNINGHALL PARISH
COUNCIL**

STANDING ORDERS 2020

Document Control

Adopted by the Council On: 13/4/2022

Signed: _____ (Chairman) Date _____

_____ (Clerk) Date _____

Next Review date: April 2024

HORSTEAD WITH STANNINGHALL PARISH COUNCIL
STANDING ORDERS 2020

1. RULES OF DEBATE AT MEETINGS.....	3
2. DISORDERLY CONDUCT AT MEETINGS.....	3
3. MEETINGS GENERALLY	3
4. COMMITTEES AND SUB-COMMITTEES	7
5. ORDINARY COUNCIL MEETINGS.....	7
6. EXTRAORDINARY MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES	8
7. PREVIOUS RESOLUTIONS	9
8. VOTING ON APPOINTMENTS.....	9
9. MOTIONS FOR A MEETING THAT REQUIRE WRITTEN NOTICE TO BE GIVEN TO THE PROPER OFFICER	9
10. MOTIONS AT A MEETING THAT DO NOT REQUIRE WRITTEN NOTICE.....	9
11. MANAGEMENT OF INFORMATION.....	10
12. DRAFT MINUTES	10
13. CODE OF CONDUCT AND DISPENSATIONS	11
14. CODE OF CONDUCT COMPLAINTS	12
15. PROPER OFFICER AND RESPONSIBLE FINANCIAL OFFICER.....	12
16. ACCOUNTS AND ACCOUNTING STATEMENTS	14
17. FINANCIAL REGULATIONS	15
18. HANDLING STAFF MATTERS.....	16
19. RESPONSIBILITIES TO PROVIDE INFORMATION	16
20. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION	16
21. RELATIONS WITH THE PRESS/MEDIA	17
22. EXECUTION AND SEALING OF LEGAL DEEDS	17
23. COMMUNICATING WITH DISTRICT AND COUNTY OR UNITARY COUNCILLORS	17
24. RESTRICTIONS ON COUNCILLOR ACTIVITIES	17
25. STANDING ORDERS GENERALLY	17

HORSTEAD WITH STANNINGHALL PARISH COUNCIL
STANDING ORDERS 2020

1. RULES OF DEBATE AT MEETINGS

- a Motions on the agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chairman of the meeting.
- b A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- c A motion on the agenda that is not moved by its proposer may be treated by the chairman of the meeting as withdrawn.
- d If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- e An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- f If an amendment to the original motion is carried, the original motion (as amended) becomes the substantive motion upon which further amendment(s) may be moved.
- g If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chairman of the meeting.

2. DISORDERLY CONDUCT AT MEETINGS

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairman of the meeting shall request such person(s) to moderate or improve their conduct.
- b If person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman of the meeting may move that the person be no longer heard or be excluded from the meeting. The motion, if seconded, shall be put to the vote without discussion.
- c If a resolution made under standing order 2(b) is ignored, the chairman of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

3. MEETINGS GENERALLY

- Full Council meetings ●
- Committee meetings ●
- Sub-committee meetings ●
- Remote Meetings ●

HORSTEAD WITH STANNINGHALL PARISH COUNCIL
STANDING ORDERS 2020

- a **Meetings shall take place at a time and date as the Council shall determine** LAPCP Regulations 2020 Part 2 Reg 4(a)
or
In the interest of Council maintaining an open and transparent policy and in the spirit of cohesiveness the usual following guidelines may still be followed: Standing orders 3e and f.
- b **Council may alter the frequency, move or cancel such meetings.**
LAPCP Regulations 2020 Part 2 Reg 4(a)
- c **A meeting of a local authority is not limited to a meeting of persons all of whom, or any of whom, are present in the same place and any reference to a “place” where a meeting is held, or to be held, includes reference to more than one place including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers.**
LAPCP Regulations 2020 Part 2 Reg 5 (1)
- d **Members(including members of the public) in remote attendance attends the meeting at any time if all of the conditions in subsection are satisfied:**
 - (a) to hear, and where practicable see, and be so heard and, where practicable, be seen by, the other members in attendance,
 - (b) to hear, and where practicable see, and be so heard and, where practicable, be seen by, any members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting, and
 - (c) to be so heard and, where practicable, be seen by any other members of the public attending the meeting.LAPCP Regulations 2020 Part 2 Reg 5 (2) (3) & (4)
- e **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
- f **The minimum three clear days’ public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice**
- g **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public’s exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public’s exclusion.**
Member and public access to documents and remote access of public and press to a local authority meeting to enable them to attend or participate in that meeting by electronic means, including by telephone

HORSTEAD WITH STANNINGHALL PARISH COUNCIL
STANDING ORDERS 2020

conference, video conference, live webcasts, and live interactive streaming.

LAPCP Regulations 2020 Part 2 Reg 6(b) (c)

- h **A meeting being “open to the public” include access to the meeting through remote means including (but not limited to) video conferencing, live webcast, and live interactive streaming and where a meeting is accessible to the public through such remote means the meeting is open to the public whether or not members of the public are able to attend the meeting in person;**
LAPCP Regulations 2020 Part 2 Reg 13(a)
- i **Being “present” at a meeting include access through remote means mentioned in paragraph (a) above.”**
LAPCP Regulations 2020 Part 2 Reg 13(b)
- j Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.
- k The period of time designated for public participation at a meeting in accordance with standing order 3(j) shall not exceed 15 minutes unless directed by the chairman of the meeting.
- l Subject to standing order 3(k), a member of the public shall not speak for more than 3 minutes.
- m A person who speaks at a meeting shall direct his comments to the chairman of the meeting.
- n Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.
- o **Subject to standing order 3(p), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.**
- p **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
- q **The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**
- r **Subject to standing orders which indicate otherwise, anything**

HORSTEAD WITH STANNINGHALL PARISH COUNCIL
STANDING ORDERS 2020

authorised or required to be done by, to or before the Chairman of the Council may in his absence be done by, to or before the Vice-Chairman of the Council (if there is one).

- s **The Chairman of the Council, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman of the Council (if there is one) 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.**
- t **Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.**
- u **The chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote, excepting in the election of a Chairman.**
- v **Unless standing orders provide otherwise, voting on a question shall be by a show of hands.** or,
Members to verbally announce their vote each in turn,
or,
Pressing a button to record their vote.
LAPCP Regulations 2020 Part 2 Reg 6(a)
At the request of the chairman or a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave his vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.
- w The minutes of a meeting shall include an accurate record of the following:
 - i. the time and media used to conduct the meeting;
 - ii. the names of councillors who are present and the names of councillors who are absent;
 - iii. interests that have been declared by councillors and non-councillors with voting rights;
 - iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;
 - v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
 - vi. if there was a public participation session; and
 - vii. the resolutions made.

HORSTEAD WITH STANNINGHALL PARISH COUNCIL
STANDING ORDERS 2020

- x **A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on his right to participate and vote on that matter.**
- y **No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.**
- z **If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be closed. The business on the agenda for the meeting shall be adjourned to another meeting.**
- aa A meeting shall not exceed a period of 2 hours.

4. **COMMITTEES AND SUB-COMMITTEES**

- a **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**
- b **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**
- c **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**
- d The Council determines the terms of reference for a committee.

5. **ORDINARY COUNCIL MEETINGS**

- a **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the councillors elected take office.**
- b **In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.**
This no longer applies until May 2021
LAPCP Regulations 2020 Para 6 (c)
- c **If no other time is fixed, the annual meeting of the Council shall take place at 6pm.**
This no longer applies until May 2021
LAPCP Regulations 2020 Para 6 (c)
- d **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as**

HORSTEAD WITH STANNINGHALL PARISH COUNCIL
STANDING ORDERS 2020

the Council decides.

- e **The first business conducted at the annual meeting of the Council shall be the election of the Chairman and Vice-Chairman (if there is one) of the Council.**
This no longer applies until May 2021
LAPCP Regulations 2020 Para 6 (c)
 - f **The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside until his successor is elected at the next annual meeting of the Council.**
 - g **The Vice-Chairman of the Council, if there is one, unless he resigns or becomes disqualified, shall hold office the next annual meeting of the Council.**
 - h **In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he shall preside at the annual 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 shall give a casting vote in the case of an equality of votes.**
 - i **In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he shall preside at the annual meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and shall give a casting vote in the case of an equality of votes.**
 - j Following the election of the Chairman of the Council and Vice-Chairman (if there is one) of the Council at the annual meeting, the business shall include:
 - i. **In an election year, delivery by the Chairman of the Council and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chairman of the Council of his acceptance of office form unless the Council resolves for this to be done at a later date;**
 - ii. Confirmation of the accuracy of the minutes of the last meeting of the Council;
6. **EXTRAORDINARY MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES**
- a **The Chairman of the Council may convene an extraordinary meeting of the Council at any time.**
 - b **If the Chairman of the Council does not call an extraordinary meeting of**

HORSTEAD WITH STANNINGHALL PARISH COUNCIL
STANDING ORDERS 2020

the Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed electronically by the two councillors.

7. PREVIOUS RESOLUTIONS

- a A resolution shall not be reversed within six months except either by a special motion, which requires written notice by at least 3 councillors to be given to the Proper Officer in accordance with standing order 9, or by a motion moved in pursuance of the recommendation of a committee or a sub-committee.

8. VOTING ON APPOINTMENTS

- a Where more than two persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the casting vote exercisable by the chairman of the meeting.

9. MOTIONS FOR A MEETING THAT REQUIRE WRITTEN NOTICE TO BE GIVEN TO THE PROPER OFFICER

- a No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least 7 clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- b The Proper Officer will discuss the motion with the Chairman before it is included on the agenda. The final decision concerning its inclusion rests with the Proper Officer. The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(a), correct obvious grammatical or typographical errors in the wording of the motion. If the motion is unclear in its meaning then the Proper Officer can withhold it.

10. MOTIONS AT A MEETING THAT DO NOT REQUIRE WRITTEN NOTICE

- a The following motions may be moved at a meeting without written notice to the Proper Officer:
 - i. to correct an inaccuracy in the draft minutes of a meeting;

HORSTEAD WITH STANNINGHALL PARISH COUNCIL
STANDING ORDERS 2020

- ii. to appoint a person to preside at a meeting;
- iii. to change the order of business on the agenda;
- iv. to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest;
- v. to exclude a councillor or member of the public for disorderly conduct;
- vi. to temporarily suspend the meeting;
- vii. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);

11. **MANAGEMENT OF INFORMATION**

See also standing order 19.

- a **The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.**
- b **The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).**
- c **The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.**
- d **Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.**

12. **DRAFT MINUTES**

Full Council meetings	●
Committee meetings	●
Sub-committee meetings	●

- a If the draft minutes of a preceding meeting have been served on councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.

HORSTEAD WITH STANNINGHALL PARISH COUNCIL
STANDING ORDERS 2020

- b 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 10(a)(i).
- c 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 Council at the next available meeting of the Council in person and stand as an accurate record of the meeting to which the minutes relate.
- d 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, at the next available meeting of the Council in person:

“The chairman of this meeting does not believe that the minutes of the meeting of Horstead with Stanninghall Parish council held on [date] in respect of (item) 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.”
- e **If the Council’s gross annual income or expenditure (whichever is higher) does not exceed £25,000 as defined by the Local Audit and Accountability Act 2014, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.**
- f Subject to the publication of draft minutes in accordance with standing order 12(e) and standing order 19(a) and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

13. **CODE OF CONDUCT AND DISPENSATIONS**

See also standing order 3(s).

- a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
- b Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.
- c Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the Council’s code of conduct. He may return to the meeting after it has considered the matter in which he had the interest.
- d **Dispensation requests shall be in writing and submitted to the Proper**

HORSTEAD WITH STANNINGHALL PARISH COUNCIL
STANDING ORDERS 2020

Officer as soon as possible before the meeting, and taken as detailed in the Councils Code of Conduct.

- e A dispensation may be granted if having regard to all relevant circumstances any of the following apply:**
 - i. 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;**
 - ii. granting the dispensation is in the interests of persons living in the Council's area; or**
 - iii. it is otherwise appropriate to grant a dispensation.**

14. CODE OF CONDUCT COMPLAINTS

- a** Upon notification by the District Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to Standing Order 11, report this to the Council.
- b** Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of Council of this fact, and the Chairman 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.
- c** The Council may:
 - i.** provide information or evidence where such disclosure is necessary to investigate the complaint or is a legal requirement;
 - ii.** seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- d** **Upon notification by the District or Unitary 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.**

15. PROPER OFFICER AND RESPONSIBLE FINANCIAL OFFICER

- a** The Proper Officer shall be either (i) the clerk or (ii) other staff member(s) nominated by the Council to undertake the work of the Proper Officer when the Proper Officer is absent.
- b** The Proper Officer shall:

HORSTEAD WITH STANNINGHALL PARISH COUNCIL
STANDING ORDERS 2020

- i. **at least three clear days before a meeting of the council, or a committee,**
 - **serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, and instructions how to link to the remote meeting the agenda and,**
 - **Provide, in a conspicuous place or by publishing on the website of the body or, for a parish council, on the website of the principal council within the meaning of the Local Government Act 1972 public notice of the time, place and agenda.**

LAPCP Regulations 2020 Part 1 Reg 13 (a)

See standing order 3(e) for the meaning of clear days for a meeting of a full council;
- ii. **convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;**
- iii. **facilitate inspection of the minute book by local government electors;**
- iv. **receive and retain copies of byelaws made by other local authorities;**
- v. hold acceptance of office forms from councillors;
- vi. hold a copy of every councillor's register of interests;
- vii. assist with responding to requests made under freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
- viii. liaise, as appropriate, with the Council's Data Protection Officer;
- ix. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- x. assist in the organisation of, storage of, access to, security of and destruction of information held by the Council in paper and electronic form subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g. the Limitation Act 1980);
- xi. arrange for legal deeds to be executed;
(see also standing order 22);
- xii. the Proper Officer, as Responsible Financial Officer is also required to undertake all financial matters according to proper practices as detailed in 'Governance and Accountability 2016';
- xiii. be able to spend (LG Act 1972 s101) up to £1,000 in an emergency, but

HORSTEAD WITH STANNINGHALL PARISH COUNCIL
STANDING ORDERS 2020

must advise the Chairman or Vice-Chairman in his absence;

16. ACCOUNTS AND ACCOUNTING STATEMENTS

- a “Proper practices” in standing orders refer to the most recent version of “Governance and Accountability for Local Councils – a Practitioners’ Guide”.
- b All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council’s financial regulations.
- c The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
 - i. the Council’s receipts and payments (or income and expenditure) for each quarter;
 - ii. the Council’s aggregate receipts and payments (or income and expenditure) for the year to date;
 - iii. the balances held at the end of the quarter being reported and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- d As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
 - i. each councillor with a statement summarising the Council’s receipts and payments (or income and expenditure) for the last quarter and the year to date for information; and
 - ii. to the Council the accounting statements for the year in the form of Section 1 of the annual governance and accountability return, as required by proper practices, for consideration and approval.
- e The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March. A completed draft annual governance and accountability return shall be presented to all councillors at least 14 days prior to anticipated approval by the Council. The annual governance and accountability return of the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30 June.

HORSTEAD WITH STANNINGHALL PARISH COUNCIL
STANDING ORDERS 2020

17. **FINANCIAL REGULATIONS**

- a. These are detailed in the policy document 'Financial Regulations'
- b. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds in standing order 17(f) is subject to Regulations 109-114 of the Public Contracts Regulations 2015 which include a requirement on the Council to advertise the contract opportunity on the Contracts Finder website regardless of what other means it uses to advertise the opportunity.**
- d. Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
 - i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
 - iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
 - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
 - v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
 - vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
- e. The Council is not obliged to take the lowest tender.
- f. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £181,302 for a public service or supply contract or in excess of £4,551,413 for a public works contract (or other thresholds determined by the European Commission every two years and published in the Official Journal of the European Union (OJEU)) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website and in OJEU.**

HORSTEAD WITH STANNINGHALL PARISH COUNCIL
STANDING ORDERS 2020

- g. **A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £363,424 for a supply, services or design contract; or in excess of £4,551,413 for a works contract; or £820,370 for a social and other specific services contract (or other thresholds determined by the European Commission every two years and published in OJEU) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.**

18. **HANDLING STAFF MATTERS**

- a A matter personal to a member of staff that is being considered by a meeting of the Council is a confidential matter.

19. **RESPONSIBILITIES TO PROVIDE INFORMATION**

See also standing order 20.

- a **In accordance with freedom of information legislation, the Council shall publish information in accordance with its publication scheme and respond to requests for information held by the Council.**
- b If gross annual income or expenditure (whichever is higher) does not exceed £25,000, **the Council shall publish information in accordance with the requirements of the Smaller Authorities (Transparency Requirements) (England) Regulations 2015.**

20. **RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION**

(Below is not an exclusive list).

See also standing order 11.

- a **The Council shall appoint a Data Protection Officer.**
- b **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.**
- c **The Council shall have a written policy in place for responding to and managing a personal data breach.**
- d **The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.**

HORSTEAD WITH STANNINGHALL PARISH COUNCIL
STANDING ORDERS 2020

- e **The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.**
- f **The Council shall maintain a written record of its processing activities.**

21. **RELATIONS WITH THE PRESS/MEDIA**

- a Requests from the press or other media for an oral or written comment or statement from the Council should be undertaken by the Proper Officer in liaison with the Chairman.

22. **EXECUTION AND SEALING OF LEGAL DEEDS**

- a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- b **Any two councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.**

23. **COMMUNICATING WITH DISTRICT AND COUNTY OR UNITARY COUNCILLORS**

- a An invitation to attend a meeting of the Council shall be sent, together with the agenda.

24. **RESTRICTIONS ON COUNCILLOR ACTIVITIES**

- a. Unless duly authorised no councillor shall:
 - i. inspect any land and/or premises which the Council has a right or duty to inspect; or
 - ii. issue orders, instructions or directions.

25. **STANDING ORDERS GENERALLY**

- a All or part of a standing order, except one that incorporates mandatory statutory or legal requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible.
- c The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.

HORSTEAD WITH STANNINGHALL PARISH COUNCIL
STANDING ORDERS 2020

- d Standing Orders should be reviewed regularly with recommendations for change being made to the Council by the Proper Officer.