

# **EAST GRINSTEAD TOWN COUNCIL**



**STANDING ORDERS**

**&**

**FINANCIAL REGULATIONS**

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## STANDING ORDERS

### C O U N C I L

#### 1 MEETINGS OF THE COUNCIL

(a) Annual Meeting

The annual meeting of the Council shall be held on the second Monday in May in each year, except in the year of ordinary elections when it shall be held on a day to be fixed by the Council, which must be within 14 days following the day on which the new councillors elected take office.

(b) Statutory Meetings

The three other statutory meetings shall be held on the first Monday in the months of July, December and April.

(c) Ordinary Meetings

Two additional meetings shall be held on the first Monday in the months of February and October.

(d) Public Question Time

A period not exceeding thirty minutes shall be allowed for members of the public to put questions to the Council prior to the commencement of business at the three statutory meetings and three ordinary meetings; provided that if there are insufficient questions to fill the half hour, the Council will commence business forthwith.

(e) Venue

Meetings of the Council shall be held at the Council Offices, East Grinstead, at a time to be fixed each year at the Annual Meeting of the Council.

(f) Time of Meetings

Unless otherwise specified all meetings of the Town Council shall be held at 7 pm.

(g) Code of Conduct

The code of conduct adopted by the Council shall apply to councillors in respect of the entire meeting. An interest arising from the code of conduct adopted by the Council, the existence and nature of which is required to be disclosed by a Councillor at a meeting shall be recorded in the minutes.

#### 2 MAYOR OR CHAIRMAN OF THE MEETING

(a) At a meeting of the Council, the Mayor, if present, shall preside. If the Mayor is not present the Deputy Mayor, if present, will preside. If neither are present then the Council shall appoint a Member to preside at the meeting.

(b) In the event of the Mayor or Deputy Mayor, as the case may be, arriving after the commencement of the meeting, the Deputy Mayor or other Chairman

appointed pro tem shall vacate the chair and the Mayor or Deputy Mayor, as the case may be, shall thereupon preside.

- (c) **The election of the Mayor and Deputy Mayor shall be the first substantive business completed at the annual meeting of the Council.**
- (d) **The Mayor, unless he has resigned or becomes disqualified, shall hold office until immediately after the election of the Mayor at the next meeting of the Council. The Deputy Mayor, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Mayor at the next annual meeting of the Council.**
- (e) **In an election year, if the current Mayor has not been re-elected as a member of the Council, he shall preside at the meeting until a successor Mayor has been elected. The current Mayor shall not have an original vote in respect of the election of the new Mayor but must give a casting vote in the case of an equality of votes.**
- (f) **In an election year, if the current Mayor has been re-elected as a member of the Council, he shall preside at the meeting until a successor Mayor has been elected. (S)he may exercise an original vote in respect of the election of the new Mayor and must give a casting vote in the case of an equality of votes.**

**In these Standing Orders the expression "Mayor" means the Chairman of the Council but any power or duty assigned to the Mayor in relation to the conduct of a Council meeting may be exercised by the member presiding at the Meeting.**

### **3 QUORUM OF COUNCIL**

- (a) **No business of the Council shall be transacted unless at least six Members of the Council are present.**
- (b) If, at the expiration of fifteen minutes after the time at which any meeting of the Council is appointed to be held, the Town Clerk after counting the number of Members present, announces that a quorum is not present then no meeting shall take place.
- (c) If, during any meeting of the Council the attention of the Mayor shall be called to the fact that there is not one-third of the Members present, the Town Clerk shall call over the names of the Members of the Council and, if there be not one-third of the Members present, the Mayor shall adjourn the meeting of the Council and the names of those who are present and those who are absent shall be recorded by the Town Clerk in the Minutes of the Council. Consideration of any business not transacted shall be given at the next ordinary meeting of the Council.

### **4 ORDER OF BUSINESS**

- (a) Except where the Council on the ground of urgency vary the order of business in accordance with part (b) of this standing order, the order of business at every meeting of the Council shall be:-
  - (i) **To choose a person to preside if the Mayor and Deputy Mayor be absent.**

- (ii) **To deal with any business required by statute to be done before any other business.**
  - (iii) **To read and approve as a correct record, the Minutes of the last meeting of the Council. Provided that, if a copy has been circulated to each Member of the Council not later than the date of issue of the summons to attend the meeting, they shall be taken as read.**
  - (iv) To receive Members' declarations of prejudicial and personal interest.
  - (v) Mayor's announcements.
  - (vi) To receive such communications as the Leader of the Council may desire to lay before the Council.
  - (vii) To dispose of business (if any) remaining from the last meeting.
  - (viii) To receive and consider Reports (or Minutes) of Committees.
  - (ix) To answer questions asked pursuant to Standing Order 9.
  - (x) To authorise the sealing of documents, so far as the Council's authority is required by statute or these Standing Orders.
  - (xi) To consider notices of motion in the order in which they have been received.
- (b) The Council may at any meeting vary the order of business so as to give precedence to any business which, in the opinion of the Mayor, is of special urgency, but such variation shall not displace business falling under items (i) and (ii) in part (a) of this Standing Order.

## 5 MINUTES

As soon as the Minutes have been read, or if they are under Standing Order 4(a) (iii), taken as read, the Mayor shall put the question that the Minutes of the meeting of the Council held on the .... day of .... be signed as a true record.

No motion or discussion shall take place upon the Minutes, except upon their accuracy, and any question of their accuracy shall be raised by motion. If no such question is raised, or if it is raised then as soon as it has been disposed of the Mayor shall sign the Minutes.

## 6 NOTICES OF MOTION

- (a) Except as provided by Standing Order 8, every notice of motion shall be in writing, signed by the Member or Members of the Council giving the notice, and delivered, as least seven clear days before the next meeting of the Council, at the office of the Town Clerk, by whom it shall be dated and numbered in the order in which it is received and entered in a book which shall be open to the inspection of every Member of the Council.
- (b) The Town Clerk shall set out in the summons for every meeting of the Council all notices of motion duly given in the order in which they have been received, unless the Member giving such a notice has, when giving it, intimated in writing that he proposes to move it at some later meeting or has since withdrawn it in writing.
- (c) If a motion, notice of which is thus specified in the summons, be not moved, either by the Member who gave notice thereof or by some other Member on his behalf, it shall, unless postponed by consent of the Council, be treated as withdrawn and shall not be moved without fresh notice.
- (d) Motions for which notice has been duly given, the subject matter of which comes within the province of any Committee or Committees shall, upon being moved and seconded, stand referred without discussion to such Committee or Committees, or to such other Committee or Committees as the Council may determine, for consideration and report. Provided that the Mayor may, if he considers it convenient and conducive to the despatch of business, allow such motion to be dealt with at the meeting at which it is submitted.
- (e) Every notice of motion shall be relevant to some question over which the Council has powers or duties, or which affects its area.
- (f) If notice be given of any motion which in the opinion of the Town Clerk is out of order, illegal, irregular or improper, he/she shall forthwith submit such notice to the Mayor and shall not place it on the agenda without the approval of the Mayor. If the motion is not accepted the Town Clerk shall forthwith inform the Member or Members giving notice of it.

## 7 ALTERATION TO MOTION

A Member may, with the consent of his/her seconder and of the Council (such consent to be signified without discussion), alter a motion which he/she has proposed or of which notice has been given if the alteration is one which could have been moved as an amendment thereto.

## 8 MOTION AND AMENDMENT WHICH MAY BE MOVED WITHOUT NOTICE

The following motions and amendments may be moved without notice:-

- (a) Appointment of a Chairman of the meeting at which the motion is made.
- (b) Motions relating to the accuracy of the Minutes, closure, adjournment, order of business, or next business.
- (c) Remission to a Committee.
- (d) That the Council do resolve itself into Committee.
- (e) That the Council under Standing Order 35 do resolve to consider otherwise than in private a question affecting a person employed by them.
- (f) Appointment of Committee or Members thereof, occasioned by an item mentioned in the summons to the meeting.
- (g) Adoption of reports and recommendations of Committees and any consequent resolutions.
- (h) That leave be given to withdraw a motion.
- (i) Amendments to motions.
- (j) Authorising the sealing of documents.
- (k) Extending the time limit for speeches.
- (l) That an item of business specified in the summons have precedence.
- (m) Suspending Standing Orders except for those Standing Orders shown in emboldened type.
- (n) Excluding the press and public.
- (o) That a Member named under Standing Order 13 be not further heard or do leave the meeting.
- (p) That the Council proceed to the next business.
- (q) That the question be now put.

## 9 QUESTIONS

- (a) A Member of the Council may ask the Chairman of a Committee any question upon the proceedings of the Committee then before the Council if the question is put before the Council's consideration of those proceedings is concluded.
- (b) A Member of the Council may, if seven clear days' notice in writing has been given to the Town Clerk, ask the Mayor or the Chairman of any Committee any question relating to business of the Council.
- (c) Every question shall be put and answered without discussion, but the Chairman to whom a question has been put may decline to answer.

- (d) A Member asking the question may ask one supplementary question at the Mayor's discretion.
- (e) Where the reply to any question cannot conveniently be given orally, it shall be deemed a sufficient reply if the answer is circulated to Members of the Council.
- (f) If a Member who has given notice of a question is not present at the meeting at the appropriate time, the matter shall lapse and shall not be revived unless a fresh notice is given in accordance with paragraph (b) or this Standing Order.

## 10 RULES OF DEBATE

- (a) A motion or amendment shall not be discussed unless it has been proposed and seconded and, unless notice has already been given in accordance with Standing Order 6, it shall, if required by the Mayor, be reduced to writing and handed to the Mayor before it is further discussed or put to the meeting.
- (b) A Member when seconding a motion or amendment may, if he/she then declares his/her intention to do so, reserve his/her speech until a later period of the debate.
- (c) A Member shall indicate his/her wish to speak by raising his/her hand, shall stand when speaking and shall address the Mayor. The Mayor shall indicate who shall speak.
- (d) A Member shall direct his/her speech to the question under discussion or to an explanation or to a question of order. No speech shall exceed five minutes, except by consent of the Council.
- (e) An amendment shall be either:-
  - (i) to leave out words;
  - (ii) to leave out words and insert or add others;
  - (iii) to insert or add words, or
  - (iv) to refer a subject of debate to a Committee for consideration or reconsideration.

but such omission or insertion of words shall not have the effect of introducing a new proposal into, or negating, the motion before the Council.

- (f) If an amendment is rejected, other amendments may be moved on the original motion. If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the motion upon which any further amendment may be moved.
- (g) A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
- (h) (i) A member may move without comment at the conclusion of a speech of another Member "That the Council proceed to the next business" or "That the question be now put" or "That the debate be now adjourned" or "That the Council do now adjourn". On the seconding of such a motion the Mayor, if in his/her opinion the question before the meeting has been sufficiently discussed, shall put the motion to the vote without

further discussion subject, in the case of a motion "That the question be now put", to the right of reply as provided by Standing Order 11 and provided that none of the above motions may be proposed by the proposer or seconder of the motion under discussion or by any Member who has already spoken during the debate.

- (ii) "That the Council proceed to the next business" means the next business on the agenda of the meeting or the next item in the report of a Standing Committee which is then before the meeting.
- (i) A Member shall not speak more than once on any motion except to move a further amendment or on any amendment except in the exercise of the right of reply given by Standing Order 11 or on a point of order or by way of personal explanation.
- (j) A Member may rise to a point of order or in personal explanation, but a personal explanation shall be confined to some material part of a former speech by him/her at the same meeting which may have been misunderstood. A Member so rising shall be entitled to be heard forthwith.
- (k) The ruling of the Mayor on a point of order or on the admissibility of a personal explanation shall not be open to discussion.
- (l) Whenever the Mayor rises during a debate a Member then speaking or standing shall resume his/her seat and the Council shall be silent.
- (m) A motion or amendment may be withdrawn by the proposer with the concurrence of the seconder and the consent of the Council, which shall be signified without discussion, and it shall not be competent for any Member to speak upon it after the proposer has asked permission for its withdrawal, unless such permission shall have been refused.
- (n) When a motion is under debate no other motion shall be moved except the following:-
  - (i) to amend the motion;
  - (ii) to postpone consideration of the motion;
  - (iii) To adjourn the meeting;
  - (iv) to adjourn the debate;
  - (v) to proceed to the next business;
  - (vi) that the question be now put;
  - (vii) that a Member be not further heard;
  - (viii) that a Member do leave the meeting;
  - (ix) that the subject of debate be referred back to a Committee;
  - (x) to extend the time limit for speeches (see Standing Order 10(d) );
  - (xi) **to suspend any Standing Order except those which are mandatory by law, or**
  - (xii) to exclude the public and press.

## **11 RIGHT OF REPLY**

The proposer of an original motion shall have a right to reply at the close of the debate upon such motion immediately before it is put to the vote. If an amendment is proposed the mover of the original motion shall be entitled to reply at the close of the debate upon the amendment but shall not speak during the debate on the amendment. The mover of an amendment shall have a right of reply to the debate on the amendment immediately before the proposer of the original motion. A Member exercising a right of reply shall not introduce new matter. After every reply to which this Standing Order refers a decision shall be taken without further discussion.

In the case of the motion "That the question be now put" being moved and seconded pursuant to Standing Order 10(h)(i) and duly passed, the mover of the original motion and the mover of the amendment which was under discussion shall have the right of reply before the motion or amendment is put.

## **12 CONSIDERATION OF REPORTS OF COMMITTEES**

In submitting to the Council the report of a Committee, the Member who presided as Chairman of the Committee or failing him some other Member who was present shall move that the report be approved and adopted. The report shall be considered as a whole provided that Members may make a proposal within the terms of Standing Order 11, or ask a question, or may make a comment, on any paragraph whereupon any other Member may participate in the discussion of such a proposal.

## **13 DISORDERLY CONDUCT**

If at a meeting any Member of the Council, in the opinion of the Mayor notified to the Council, misconducts himself/herself by persistently disregarding the ruling of the Chair, or by behaving irregularly, improperly or offensively, or by wilfully obstructing the business of the Council, it shall be competent for a Member to move "That the Member named do leave the meeting" and the motion, if seconded, shall be put and determined without discussion.

## **14 SUSPENSION OF SITTING**

If after a motion under Standing Order 13 has been carried and misconduct or obstruction is continued, and in the opinion of the Mayor renders the due and orderly dispatch of business impossible, the Mayor, in addition to any other power vested in him may, without question put, adjourn or suspend the sitting of the Council for such period as he in his discretion shall consider expedient.

## **15 RESCISSION OF PRECEDING RESOLUTION**

No motion to rescind any resolution passed within the preceding six months, and no motion or amendment to the same effect as one which has been rejected within the preceding six months, shall be proposed unless the notice thereof given in pursuance of Standing Order 6 bear the names of at least six Members of the Council. When any such motion has been disposed of by the Council, it shall not be open to any member to propose a similar motion within a further period of six months. Provided that this Standing Order shall not apply to motions moved in pursuance of the report or recommendation of a Committee, nor to a motion to rescind any resolution merely postponing consideration of a matter.

## **16 VOTING AT COUNCIL MEETINGS**

- (a) Every question shall be determined by a show of hands and **on the requisition of any Member of the Council made either before or after the Members have voted, the voting on any question shall be recorded to show whether each Member present either voted for or against the question or abstained from voting.** The recorded vote shall be obtained by the Town Clerk calling out each Member's name and each Member shall indicate verbally whether he/she was for or against or abstained from voting.
  
- (b) **In the case of an equality of votes at any meeting of the Council the Mayor, whether or not he/she voted in the first instance may give a casting vote.**

## **STANDING COMMITTEES AND STANDING SUB-COMMITTEES**

### **17 MEETINGS OF STANDING COMMITTEES AND SUB-COMMITTEES**

- (a) Meetings of all Standing Committees and Standing Sub-Committees shall be held as directed by the Council.
- (b) At least three clear days' notice shall be given by the Town Clerk to Members of a Standing Committee or Standing Sub-Committee meeting and such notice shall set out clearly the business to be transacted at the meeting.
- (c) In matters not admitting of delay the Town Clerk may circulate at a meeting a supplementary agenda detailing the urgent business. Should the business involve policy or a financial decision then the meeting would only make a recommendation to the next meeting of the Council. Only with the approval of the Chairman may other matters of urgent business be brought up at the meeting.
- (d) No other business than that set out in the notice of meeting or as detailed in (c) above shall be discussed.
- (e) The Chairman of a Standing Committee or Standing Sub-Committee may summon a special meeting of such Committee or Sub-Committee at any time. A special meeting shall also be summoned by the Chairman of the Standing Committee or Standing Sub-Committee on the requisition in writing of a quarter of the Members of such Committee or Sub-Committee. The summons shall set out the business to be considered at the special meeting, and no other business than that set out shall be considered at that meeting.
- (f) A period not exceeding 15 minutes shall be allowed for members of the public to put questions to a Committee prior to the start of each Committee meeting subject to such questions being pertinent to the Terms of Reference of that Committee and provided also that if there are insufficient questions to fill the 15 minutes the Committee will commence business forthwith.

### **18 APPOINTMENT OF STANDING COMMITTEES**

The Council shall at the Annual Meeting appoint Standing Committees and may at any time appoint such other Committees as are necessary, but subject to any statutory provision in that behalf -

- (a) shall not appoint any Member of a Committee so as to hold office later than the next Annual Meeting of the Council, and
- (b) may at any time dissolve or alter the membership of a Committee.

### **19 ATTENDANCE AT STANDING COMMITTEE AND STANDING SUB-COMMITTEE MEETINGS**

- (a) Any Member of the Council may attend any meeting of a Committee or Sub-Committee at which the public may be present and of which he is not a member, but shall not speak thereat except by consent of the Chairman, but a Member of the Council who has proposed a motion which has been referred to any Committee or Sub-Committee shall have notice of the meeting of the Committee or Sub-Committee at which it is proposed to consider the motion, and if he

attends shall have an opportunity of explaining it; provided that a non-member of a Committee or Sub-Committee shall not vote thereat.

- (b) With the consent of the Chairman of a Committee or Sub-Committee, and on conditions to be prescribed by him, any Member of the Council may attend any meeting of a Committee or Sub-Committee at which the public may not be present and of which he is not a member but shall not speak thereat except by consent of the Chairman, and provided that a non-member of a Committee or Sub-Committee attending a meeting pursuant to this Standing Order shall not vote thereat.

## 20 LIST OF STANDING COMMITTEES AND TERMS OF REFERENCE

- (a) The Standing Committees of the Council shall be as follows:-

Planning Committee - 9 Members consisting, if possible, of at least one Member representing each Ward of the Town.

Public Services Committee - 9 Members

Amenities and Tourism Committee - 9 Members

Finance & General Purposes Committee - Chairmen of the other three Standing Committees plus seven other Members.

The Mayor and Deputy Mayor shall be ex-officio Members of all Standing Committees

- (b) All the Council's powers and duties shall be delegated to the Standing Committees in accordance with the Terms of Reference, subject to the following exceptions:-

- (i) The power of raising loans and making the Rate;
- (ii) The power of incurring capital expenditure not specifically included in the Council's approved estimates of expenditure for the time being;
- (iii) The appointment to or co-option on a Committee or Sub-Committee of a person who is not a Member of the Council or of a Committee;
- (iv) Standing Orders and the functions and constitution of Committees and Sub-Committees;
- (v) Dates of Meetings of the Council;
- (vi) Appointment or nomination by the Council of persons to fill vacancies on outside bodies arising during the Council year;
- (vii) Filling of vacancies occurring on any Committee of the Council during the Council year;
- (viii) The appointment or dismissal of the Town Clerk.

Provided that the exercise of delegated powers shall be subject to the respective Committees

- (1) giving effect to any resolution of the Council upon matters of principle or policy;
  - (2) in case of doubt or difficulty or when a matter appears to involve a new departure in policy or when less than half of the Members of the Committee are present directing that their decisions shall be submitted to the Council as a recommendation.
- (c) Places on each Committee will be allocated in proportion to the numbers of seats held by the various parties or independents as a group at any time rounded to the nearest equivalent

**21 STANDING SUB-COMMITTEE**

Every Committee appointed by the Council may appoint Sub-Committees (which include Advisory and Scrutiny Committees) for the purposes to be specified by the Committee. Except where powers or duties are delegated to a Sub-Committee whose acts in pursuance of any statutory enactment need not be submitted to the Committee for approval, no act of a Sub-Committee shall have effect until approved by the Committee.

The Chairman and Vice-Chairman of the Committee shall be ex-officio a Member of every Sub-Committee appointed by the Committee, unless he signifies in writing to the Town Clerk that he does not wish to serve.

**22 APPOINTMENT OF WORKING PARTIES**

Every Standing Committee appointed by the Council may appoint special Working Parties for purposes to be specified by the Committee. No act of a special Working Party shall have effect, however, until approved by the parent Committee. The Chairman and Vice-Chairman of the Committee shall be ex-officio Members of every Working Party approved by that Committee. When the Terms of Reference have been complied with the Working Party shall be automatically discharged.

**23 ELECTION OF CHAIRMAN OF STANDING COMMITTEES, STANDING SUB-COMMITTEES AND WORKING PARTIES**

Every Committee, Sub-Committee and Working Party, shall, at its first Meeting, before proceeding to any other business, elect a Chairman and if it so desires may elect a Vice Chairman for the year, in whose absence from a meeting a Chairman for the meeting may be appointed.

**24 QUORUM OF STANDING COMMITTEES, STANDING SUB-COMMITTEES AND WORKING PARTIES**

- (a) Except where authorised by statute or ordered by the Council, business shall not be transacted at a meeting of any Standing Committee, Standing Sub-Committee or Working Party, unless at least one-quarter of the whole number of the Standing Committee, Standing Sub-Committee or Working Party is present. Provided that in no case shall the quorum of a Standing Committee be less than three Members of that Committee or two Members in the case of a Standing Sub-Committee or Working Party.
- (b) If at the expiration of fifteen minutes after the hour at which any meeting of a Standing Committee, Standing Sub-Committee or Working Party is appointed to be held, the Town Clerk after counting the number of Members present, announces that a quorum is not present, no meeting shall take place.

- (c) If during any meeting of a Standing Committee, Standing Sub-Committee or Working Party the attention of the Chairman of such Committee, Sub-Committee or Working Party shall be called to the fact that there is not a quorum of the Members present, the Town Clerk shall call over the names of the Members of such Committee, Sub-Committee or Working Party and if it shall appear that there is not a quorum of the Members present, the Chairman of such Committee, Sub-Committee or Working Party shall adjourn the meeting and the names of those who are present and those who are absent shall be recorded by the Town Clerk in the report of such Committee or Sub-Committee.

**25 OVERLAPPING OF FUNCTIONS OF STANDING COMMITTEES, STANDING SUB-COMMITTEES OR WORKING PARTIES**

No Standing Committee, Standing Sub-Committee or Working Party shall act in any matter within the terms of reference of another Standing Committee, Standing Sub-Committee or Working Party without taking the instructions of the Council, but this Standing Order shall not prevent or preclude a Standing Committee, Standing Sub-Committee or Working Party from rendering advice or assistance at the request of another Standing Committee, Standing Sub-Committee or Working Party.

**26 VOTING IN STANDING COMMITTEES, STANDING SUB-COMMITTEES AND WORKING PARTY MEETINGS**

- (a) All questions in Standing Committees, Standing Sub-Committees and Working Parties shall be determined by show of hands by a majority of the Members present and **at the request of a Member the Town Clerk shall record in the report of such Committees, Sub-Committees or Working Parties whether or not he/she voted for or against or abstained from voting on any particular motion.**
- (b) **In the case of an equality of votes at any meeting of a Standing Committee, Standing Sub-Committee and Working Party the presiding Chairman whether or not he/she voted in the first instance may give a casting vote.**
- (c) Non-Councillors are not empowered to vote when appointed to Standing Committees and Standing Sub-Committees unless such Standing Committees and Standing Sub-Committees have been formally resolved as being Advisory within the terms of the Local Government and Housing Act 1989.

**27 ATTENDANCE OF MEMBERS NOT ON STANDING COMMITTEES, STANDING SUB-COMMITTEES OR WORKING PARTIES**

Any Member of the Council desirous of attending any meeting of a Standing Committee, Standing Sub-Committee or Working Party, other than those to which he/she is appointed and of speaking on any particular business set out on the agenda for such meeting may do so provided that the consent of the Chairman of the Committee, Sub-Committee or Working Party was obtained before the meeting commenced but he/she may not vote.

**28 EXECUTIVE POWERS OF STANDING COMMITTEES AND STANDING SUB-COMMITTEES**

If at any meeting of a Standing Committee or Standing Sub-Committee five of its Members then present shall request with respect of any particular matter then before the meeting that any executive powers delegated to that Committee or Sub-

Committee shall not be exercised with respect to that matter, then the Standing Committee or Sub-Committee shall not do so but shall make a recommendation thereon.

**29 STANDING ORDERS TO APPLY TO STANDING COMMITTEES, STANDING SUB-COMMITTEES AND WORKING PARTIES**

The Standing Orders of the Council as to rules of debate at Council meetings and the Standing Order as to interest of Members in contracts and other matters, shall mutatis mutandis apply to Committee and Sub-Committee meetings and Working Parties, except those parts of Standing Order 10 which relate to standing and to speaking more than once.

## **GENERAL**

### **30 CONFIDENTIAL BUSINESS**

No Member of the Council or of any Committee, Sub-Committee or Working Party shall disclose to any person not a Member of the Council any business declared to be confidential by the Council, Committee or Sub-Committee as the case may be.

### **31 VOTING ON APPOINTMENTS**

Where there are more than two persons nominated for any position to be filled by the Council, and of the votes given there is not a majority in favour of one person, the name of the person having the least number of votes shall be struck off the list and a fresh vote shall be taken, and so on until a majority of votes is given in favour of one person.

### **32 RECORD OF ATTENDANCES**

Every Member of the Council attending a meeting of the Council or of any of its Committees, Sub-Committees or Working Parties of which he is a Member, shall sign his name in the attendance book or sheet provided for that purpose.

### **33 SMOKING**

There shall be no smoking at meetings of the Council, its Committees and Sub-Committees and at meetings of Working Parties and at any other time in the Council Chamber.

### **34 POWER TO RESOLVE INTO COMMITTEE**

The Council may resolve itself into a Committee of the whole Council.

### **35 MOTIONS AFFECTING PERSONS EMPLOYED BY THE COUNCIL**

If any question arises at a meeting of the Council or of any Committee as to the appointment, promotion, dismissal, salary, or conditions of service, or as to conduct, of any person employed by the Council it shall only be considered when the public and press have been excluded from such meeting, unless the Council or the Committee otherwise resolve.

### **36 ADMISSION OF THE PRESS AND PUBLIC TO MEETINGS**

(a) **The public and press shall be admitted to all meetings of the Council** so far as there is accommodation, **but:-**

- (i) **at any meeting the Council may by resolution agreed to by a majority of the Members present, exclude the public and press from a meeting (whether during the whole or part of the proceedings) whenever publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted;**
- (ii) if a member of the public interrupts the proceedings at any meeting the Mayor may, after warning, order his removal from the Council Chamber or that part of the Chamber open to the public shall be cleared.

- (b) The public and the press shall be admitted to all meetings of the Committees of the Council so far as there is accommodation provided that the same right of exclusion or removal shall apply as in the case of the public at Council meetings under part (a) of this Standing Order and as generally permitted in accordance with the Access to Information Act;
- (c) **The Town Council shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present.**

### 37 **CANVASSING OF AND RECOMMENDATIONS BY MEMBERS**

- (a) Canvassing of Members of the Council or any Committee of the Council directly or indirectly for any pecuniary appointment under the Council shall disqualify the candidate for such appointment. The purport of this paragraph of this Standing Order shall be included in every advertisement inviting applications for appointments or in the form of application.
- (b) A Member of the Council shall not solicit for any person any pecuniary appointment under the Council, or recommend any person for such appointment or for promotion; but this paragraph of this Standing Order shall not preclude a Member from giving a written testimonial of a candidate's ability, experience, or character, for submission to the Council with an application for appointment.

### 38 **SEALING OF DOCUMENTS**

- (a) Custody of Seal

The Common Seal of the Council shall be kept in a safe place at the office of the Town Clerk.

- (b) Sealing of Documents

The Common Seal of the Council shall not be affixed to any document unless the sealing has been authorised by a resolution of the Council.

**The seal shall alone be used for sealing a deed required by law. It shall be applied by the Town Clerk in the presence of two members of the Council who shall sign the deed as witnesses.** An entry of every sealing of a document shall be made and consecutively numbered in a book to be provided for the purpose and shall be signed by the Town Clerk.

### 39 **INSPECTION OF DOCUMENTS**

**A Member of the Council may for purposes of his/her duty as such Member but not otherwise inspect any document which has been considered by a Committee or Sub-Committee or by the Council,** and if copies are available shall on request be supplied for the like purposes with a copy of such document. Provided that a Member shall not knowingly inspect and shall not call for a copy of any document relating to a matter in which he is professionally interested or in which he has directly or indirectly any pecuniary interest within the meaning of section 94 or 95 of the Local Government Act 1972, and that this Standing Order shall not preclude the Town Clerk to the Council from declining to allow inspection of any document which is or in the event of legal proceedings would be protected by privilege arising from the relationship of solicitor and client.

#### 40 INSPECTION OF LANDS, PREMISES, ETC

- (a) A Member of the Council, unless authorised to do so by the Council or a Committee, shall not inspect any lands or premises which the Council have the right or duty to inspect, or enter upon or issue any order respecting any works which are being carried out by or on behalf of the Council.
- (b) A Member may inspect without the Town Clerk or his/her representative being in attendance and without paying an admission charge, if applicable, those parts of land and premises owned by the Council which are open to the general public.

#### 41 INSTRUCTIONS TO OFFICERS OF THE COUNCIL

No individual Member of the Council shall require the compilation of any information by Officers of the Council, or give instructions to any officer or workman, except in so far as the Mayor or any Committee Chairman is entitled to instruct the Town Clerk to include any item on a Committee agenda pertinent to the work of that Committee.

#### 42 PROPER OFFICER

The Council's Proper Officer shall be the Town Clerk or such other employee appointed by the Council to undertake the role of the Proper Officer during the Town Clerk's absence. The Town Clerk and the employee appointed to act as such during the Proper Officer's absence shall fulfil the following mandatory duties assigned to the Proper Officer in standing orders.

- (a) Sign and serve on councillors by delivery 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 sub-committee 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 or a sub-committee, provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them.**
- (c) Convene a meeting of full Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office.**
- (d) Receive and retain copies of byelaws made by other local authorities.**
- (e) Receive and retain declarations of acceptance of office from councillors, and retain a copy of every councillor's register of interests and any changes to it and keep copies of the same available for inspection.**

#### 43 CODE OF CONDUCT

- (a) All councillors shall observe the code of conduct adopted by the Council.**
- (b) All councillors shall undertake training in the code of conduct within 6 months of the delivery of their acceptance of office.
- (c) As the Town Council has adopted paragraph 12(2) of the code of conduct contained in the Local Authorities (Model Code of Conduct) Order 2007 (SI No.1159) councillors with a prejudicial interest in relation to any item of**

**business being transacted at a meeting may make representations, answer questions and/or give evidence relating to the business being transacted only if members of the public are permitted to do likewise and subject also the councillor concerned thereafter leaving the Council Chamber.**

#### **44 ALLEGATIONS OF BREACHES OF THE CODE OF CONDUCT**

**On receipt of a notification that there has been an alleged breach of the Code of Conduct the Town Clerk, in liaison with the Chairman of Finance & General Purposes Committee, shall take steps to progress the complaint through that Committee in accordance with best practice procedures recommended by the National Association of Local Councils.**

#### **45 INTEREST OF MEMBERS IN CONTRACTS AND OTHER MATTERS**

- (a) For the purposes of this Standing Order a person is deemed to have a pecuniary interest in a contract, proposed contract or other matter if:-
- (i) he/she or any nominee of his/hers is a member of a company or other body with which the contract was made or is proposed to be made or which has a direct pecuniary interest in the other matter under consideration; or
  - (ii) he/she is a partner, or is in the employment of a person with whom the contract was made or is proposed to be made or who has a direct pecuniary interest in the other matter under consideration.
- (b) If a Member of the Council has any pecuniary interest direct or indirect within the meaning of sections 94 or 95 of the Local Government Act 1972, in any contract, proposed contract, or other matter, such Member while such contract, proposed contract, or other matter is under consideration by the Council, or meeting of any Committee of the Council at which the contract or other matter is the subject of consideration shall at the meeting disclose the fact and shall not take part in the consideration or discussion of the contract or other matter or vote on any question with regard to it unless:-
- (i) the disability imposed upon him/her by that section has been removed by the Secretary of State for the Environment under section 97 of the Local Government Act 1972; or
  - (ii) the contract, proposed contract, or other matter is under consideration by the Council as part of the report of a Committee and is not itself the subject of debate.
- (c) **The Town Clerk shall record in a book to be kept for the purpose, particulars of any disclosure made under this Standing Order and the book shall be retained for the inspection of any Member of the Council.**
- (d) The declaration of a pecuniary interest shall also apply in respect of the spouse of the Member.

#### **46 INTEREST OF OFFICERS IN CONTRACTS**

- (a) **The Town Clerk shall record in a book to be kept for the purpose, particulars of any notice given by an Officer of the Council under section 117 of the Local Government Act 1971, of a pecuniary interest in a contract**

**and the book shall be open during office hours to the inspection of any Member of the Council.**

- (b) The recording of a pecuniary interest shall also apply in respect of the spouse of the Officer.

#### **47 VARIATIONS AND REVOCATION OF STANDING ORDERS**

Any motion to add to, vary or revoke these Standing Orders shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

#### **48 SUSPENSION OF STANDING ORDERS**

- (a) Subject to paragraph (b) of this Standing Order, and with the exception of Standing Order No. 44 any of these Standing Orders, **except for those printed in bold type**, may be suspended so far as regards any business at the meeting where its suspension is moved.
- (b) A motion to suspend Standing Orders shall not be moved without notice unless there shall be present at least one-half of the whole number of such persons eligible to be at such meeting.

#### **49 STANDING ORDERS TO BE GIVEN TO MEMBERS**

A printed copy of these Standing Orders, and of such statutory provisions as regulate the proceedings and business of the Council, shall be given to each Member of the Council by the Town Clerk on the Member being first elected to the Council.

#### **50 INTERPRETATION OF STANDING ORDERS**

The ruling of the Mayor as to the construction or application of any of these Standing Orders, or as to any proceedings of the Council, shall not be challenged at any meeting of the Council.

#### **51 DELEGATION**

The Town Clerk, in consultation with the Chairmen and Vice Chairmen of appropriate Committees, to take action deemed desirable on any matters which the Committee concerned have delegated powers but which require urgent action.

#### **52 MOTIONS ON EXPENDITURE**

Any motion which if carried would materially increase the expenditure upon any service which is under the management of, or reduce the revenue under the management of any Committee, or would involve capital expenditure, shall when proposed and seconded stand adjourned without discussion to the next ordinary meeting of the Council, and any Committee affected by such motion shall consider whether it desires to report thereon.

#### **53 EXPENDITURE**

Any expenditure incurred by the Council shall be in accordance with the Council's financial regulations, which shall be reviewed annually. **The Council's financial regulations may make provision for the authorisation of the payment of money in**

**exercise of any of the Council's functions to be delegated to a committee, sub-committee or to an employee.**

#### **54 POWER OF WELL-BEING**

- (a) Before exercising the power to promote well being, 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.**
- (b) This period of eligibility begins on the date that the resolution under standing order 53(a) was made and expires on the day before the annual meeting of the Council that takes place in a year of ordinary elections.**
- (c) 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 power to promote well-being which was not completed before the expiry of the Council's preceding period of eligibility referred to in standing order 53(b) above.**

#### **55 FREEDOM OF INFORMATION ACT**

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.

## **CONTRACTS**

### **56 CONTRACTS TO COMPLY WITH STANDING ORDERS**

- (a) Every contract, whether made by the Council or by a Committee or Sub-Committee to which the power of making contracts shall have been delegated, shall comply with these Standing Orders and no exception from any of the following provisions of these Orders shall be made otherwise than by direction of the Council or, in an emergency, by such a Committee or Sub-Committee as aforesaid with the approval of the Chairman of the Finance and General Purposes Committee.

#### Exceptions

- (b) Every exception made by a Committee or Sub-Committee to which the power of making contracts has been delegated shall be reported to the Council and the report shall specify the emergency by which the exception shall have been justified.
- (c) Express note of any exception from any of the provisions of these Standing Orders and of the emergency, if any, by which the exception shall have been justified shall, unless recorded in the report of a Committee or Sub-Committee, which is laid before the Council, be made in the Minutes of the Council.
- (d) Before any contract for the supply of goods and materials, execution of works, or any provision as to the maintenance or servicing thereof is made, the Town Clerk or Head of Service initiating such order shall ensure that the estimated cost of said supply or works has been included in the annual budget of the Council under the appropriate heading.
- (e) Any proposed contract for the supply of goods and materials, execution of works or any provision as to the maintenance or servicing thereof which has not been included in the annual budget shall be the subject of a separate report to the appropriate Committee or the Council. If approved, normal tender procedures will apply.

#### Financial variations

- (f) All financial figures contained within these Standing Orders (56 - 61 inclusive) are agreed as at June 2010.

### **57 TENDERING PROCEDURES**

#### Arrangements for invitation of tenders

- (a) Where the estimated cost of works, goods and materials and related services is as set out below and the requisite provision thereof has been made in the approved budget, the arrangements for the invitation of tenders or quotations and the subsequent acceptance thereof shall be as shown.

<u>Estimated Value</u>	<u>Method of Invitation</u>	<u>Acceptance by</u>
£5,000 to £20,000	Minimum of two invitations for quotations	Appropriate Head of Service and Committee Chairman
£20,000 to £50,000	Minimum of three invitations for quotations	Town Clerk and Chairman of Appropriate Committee
Above £50,000	Minimum of four invitations for tenders (with discretion to invite tenders by public advertisement up to £75,000)	Town Clerk and Chairmen of appropriate Committee and F&GP Committee.

In all cases up to £20,000 where the lowest tender received is in excess of 5% above the original estimate, or in cases over £20,000 where it is in excess of the original estimate, it shall be reported to the appropriate Committee for acceptance or otherwise.

(b) Public Advertisement

Contracts which exceed £75,000 in value or amount for the supply of goods or materials or the execution of any work for which provision has been made in the annual budget shall not be made unless at least ten days public notice has been given in one or more of the local newspapers circulating in the district. Provided that it shall not be obligatory for the Council or any Committee or Sub-Committee exercising powers delegated by the Council to invite tenders for a contract or materials where effective competition is prevented by Government control or where the Town Clerk reports in writing to the Council or to the Committee or Sub-Committee exercising such powers that effective competition is prevented by the special nature of the goods or materials required. Nor shall it be necessary to give public notice of the intention to enter into such a contract.

(c) Standing Lists of Tenderers

- (i) Where the Council has determined that lists shall be kept of persons to be invited to tender for contracts for the supply of goods and materials of specified categories, values or amounts or for the execution of specified categories of work, notices inviting applications for inclusion in the lists shall be published in one or more newspapers or journals circulating amongst such persons as undertake contracts of specified values or amounts or categories.
- (ii) The list shall contain the names of all persons who wish to be included in it and are approved by the appropriate Committee and indicate whether a person whose name is included on it is approved for contracts for all, or only some of the specified values or amounts or categories.
- (iii) The said list shall be amended as required from time to time and shall be reviewed at intervals not exceeding five years.

- (iv) Where, by virtue of a decision of the Council or of the Committees or the Town Clerk duly authorised on that behalf, invitation to tender for a contract is limited to persons whose names appear on the list maintained under this Order, an invitation to tender for a particular contract shall be sent. In respect of contracts of above £5,000 but less than £20,000 to two tenderers, less than £50,000 to three tenderers, £50,000 and above to four tenderers. Should the said list not include the required number of tenderers then a minimum of two will be invited to tender.
- (v) The Council has approved the use of Constructionline and the Contractors Health and Safety Scheme (CHAS) as part of the tendering and Health and Safety Processes associated with future contracts entered into by the Town Council.
- (vi) 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.**

(d) Exceptions to procedures

The Order shall not apply to:-

- (i) the supply of goods and materials or the execution of works of less than £5,000 in value;
- (ii) purchase by auction;
- (iii) purchase or repair of patented or proprietary goods or materials sold at fixed price;
- (iv) purchase of materials normally supplied by specialist contractors;
- (v) the execution of work, the purchase of goods or materials or the provision of services involving special, scientific or artistic knowledge;
- (vi) the execution of work or the purchase of goods or materials which are a matter of urgency after prior reference to the appropriate Committee Chairman;
- (vii) the purchase of goods or materials which the Town Clerk may from time to time deem it expedient to make in the open market provided that before making any such purchase the approval of the Chairman of the appropriate Committee concerned is obtained and finance is available in the appropriate budget;
- (viii) contracts with professional persons for the execution of works in which the personal skills of the person is of primary importance, and
- (ix) those contracts where a Committee may expressly determine that it is in the Council's interests that a tender be negotiated directly with a contractor or supplier of goods or services.

(e) Requirements for submission of tenders

Where in pursuance of Standing Order 57(a) public invitation to tender is required, every notice of such invitation shall state that no tender will be received except in a plain sealed envelope which shall bear the word "Tender" followed by the subject to which it relates, but shall not bear any name or mark indicating the sender and such envelopes shall remain in the custody of the Town Clerk until the time appointed for their opening.

(f) Declarations as to conduct of Tenderer

In connection with the submission of tenders for the execution of works or supply of goods and materials, declaration shall be obtained from each tenderer in the following form:-

"We declare that we are not parties to any scheme or arrangement under which

- (i) we communicate the amount of our tender to any other person or body before the contract is let;
- (ii) any other tenderer for the works, which are the subject of our tender, is reimbursed any part of his tendering costs, and
- (iii) our tender prices are adjusted by reference directly or indirectly to the prices of any other tenderer for the works.

No provision is made in our tender price for any reimbursement of any adjustment of any contribution thereto."

(g) Procedure for opening tenders

Tenders shall be opened by the Town Clerk or an official of the Council designated by him at one time and only in the presence of such Member or Members of the Council as may have been designated for the purpose by the Council or by the Committee or Sub-Committee to which the power of making the contract to which the tenders relate has been delegated. Where tenders have been opened in pursuance of this paragraph they shall be recorded and reported to the next meeting of the appropriate Committee or Sub-Committee.

(h) Limitations of acceptance of tenders

A tender other than the lowest tender if payment is to be made by the Council or the highest tender if payment is to be received by the Council shall not be accepted until the Council shall have considered a written report from the appropriate Officer.

**58 CONTRACTS FOR SUPPLIES AND SERVICES ETC**

Every contract which exceeds £10,000 in value or amount shall be in writing.

Every contract in writing shall be signed by the Town Clerk on behalf of the Council.

**59 CONTRACTS FOR SUPPLIES, SERVICES OR WORKS**

Every contract for which provision has been made in the approved annual estimates and/or approved by the appropriate Committee or Sub-Committee of the Council

pursuant to Standing Orders and being in value of amount less than £10,000 shall be entered into on behalf of the Council by the Town Clerk or his nominated representative by issuing an official order only.

## **60 CONTENTS OF WRITTEN CONTRACTS AND PENALTIES**

Every written contract shall specify:-

- (i) the work, materials, matters or things to be furnished, had or done;
- (ii) the price to be paid with a statement of discounts or other deductions, and
- (iii) the time or times within which the contract is to be performed.

## **61 CORRUPT PRACTICES**

There shall be inserted in every written contract a clause empowering the Council to cancel the contract and to recover from the contractor the amount of any loss resulting from such cancellation if the contractor shall have offered or given or agreed to give to any person any gift or consideration of any kind as an inducement or reward for doing or forbearing to do or for having done or forborne to do any action in relation to the obtaining or execution of the contract or any other contract with the Council, or for showing or forbearing to show favour or disfavour to any person in relation to the contract or any other contract with the Council, or if the like acts shall have been done by any person employed by him/her or acting on his/her behalf (whether with or without the knowledge of the contractor) or if in relation to any contract with the Council the contractor or any person employed by him/her or acting on his/her behalf shall have committed any offence under the Prevention of Corruption Acts 1889 to 1916, or shall have given any fee or reward the receipt of which is an offence under section 117(2) of the Local Government Act 1972.

## **TERMS OF REFERENCE**

### **TR1 MATTERS TO BE DEALT WITH SOLELY BY THE COUNCIL**

- (a) The Power of raising loans and making the Rate;
- (b) the power of incurring capital expenditure not specifically included in the Council's approved estimate of expenditure for the time being;
- (c) the appointment to or co-option on a Committee or Sub-Committee of a person (on a strictly non-voting basis) who is not a Member of the Council or the Committee;
- (d) Standing Orders and the functions and constitution of Committees and Sub-Committees;
- (e) dates of meetings of the Council;
- (f) appointment or nomination by the Council of persons to fill vacancies on outside bodies arising during the Council year;
- (g) filling of vacancies occurring on any Committee of the Council during the Council year;
- (h) the appointment or dismissal of the Town Clerk.

### **TR2 POWERS AND DUTIES OF STANDING COMMITTEES**

Subject to the foregoing, and to observance of decisions of the Council on matters of principle or policy, all the Council's powers and duties shall be delegated to the Standing Committees in accordance with the following terms of reference unless otherwise specified.

The acts and proceedings of a Committee shall:

- (a) where they are delegated to the Committee, so far as is legally permissible be deemed the acts and proceedings of the Council;
- (b) as regards other matters, be subject to confirmation by the Council, and when confirmed shall be deemed the acts and proceedings of the Council;
- (c) in all respects be subject to the provisions of the Council's Standing Orders and Financial Regulations except as otherwise determined by the Council.

The Council may at any time without prejudice to executive action already taken revoke any executive power delegated to a Committee.

### **TR3 PLANNING COMMITTEE**

- (a) The making of representations to the Local Planning Authority on applications for planning permission which have been notified in accordance with the Local Government Act 1972, Section 20, Schedule 16, and other relevant legislation;
- (b) the making of representations in respect of appeals against the refusal of planning permission;

- (c) the making of recommendations regarding street naming;
- (d) to consider and monitor the Town and other developmental plans and the making of all appropriate representations.
- (e) The facilitation of economic development initiatives, including those pertaining to town centre matters, for the benefit of East Grinstead and the making of recommendations on all related matters and liaison as appropriate with other agencies;
- (f) the making of representations to the appropriate Planning Authority in respect of other planning matters not otherwise referred to in Terms of Reference (a) - (e) above.

**TR4 PUBLIC SERVICES COMMITTEE**

- (a) The making of representations to the appropriate authority in respect of highways matters.
- (b) The making of representations to the appropriate authority in respect of public transport services.
- (c) The making of representations to the appropriate authority in respect of all health care/service matters.
- (d) The making of representations to Sussex Police Authority and other appropriate police personnel in respect of all local policing matters, including the establishment of joint partnership initiatives.
- (e) The making of representations to Mid Sussex District Council regarding Public Entertainment Licensing and Licensed Premises generally.
- (f) All other matters (except planning) which are the responsibility of third party agencies and directly affect the town's basic infrastructure.

**TR5 AMENITIES & TOURISM COMMITTEE**

- (a) Dealing with the provision, maintenance and management of The Old Court House, East Court Mansion and grounds, the Meridian Hall, and the maintenance and management of any other land holdings and/or buildings of a leisure nature - amenities, sports, cultural or community for example - and the making of recommendations annually to the Finance & General Purposes Committee of rents and charges;
- (b) Dealing with the provision and maintenance street furniture and Town Council public owned facilities including: -
  - (i) Public clock
  - (ii) War memorials
  - (iii) Public seats
  - (iv) Bus Shelters
  - (v) Public Notice Boards
  - (vi) Salt and Grit Bins
- (c) Dealing with the provision and maintenance of allotments and cemeteries;

- (d) The co-ordination and direction of the Council's environmental improvement programme and related initiatives;
- (e) Dealing with the publication of the official Town Guide, Town Map and other publications relevant to the work of the Committee;
- (f) The provision of an emergency community handyman/housekeeping service;
- (g) The provision and maintenance of all street and footway lighting in the ownership of the Town Council;
- (h) Co-ordination of any Town Council community safety initiatives including the local provision of CCTV.
- (i) The making of recommendations to the Finance & General Purposes Committee regarding matters relating to the Town Council's staff engaged on caretaking and cleaning duties and in the cemeteries.
- (j) The making of recommendations to the Finance & General Purposes Committee regarding grant applications from the Council's Capital Initiatives Fund.
- (k) The facilitation of tourism initiatives and the provision of tourist information facilities for the Town in liaison, as appropriate, with other local authorities and agencies.

**TR6 FINANCE AND GENERAL PURPOSES COMMITTEE**

- (a) The making of recommendations in respect of items (c) to (h) of the matters to be dealt with solely by the Town Council;
- (b) dealing with all matters relating to the general day-to-day administration of the Council;
- (c) dealing with matters specifically referred by the Town Council or any other Standing Committee and with all matters not specifically referred or delegated to any other Standing Committee;
- (d) dealing with the Terms and Conditions of Service and superannuation of the Town Council's staff and making appropriate recommendations relying on, where appropriate, the Scheme of Conditions of Service of the National Joint Councils, the National Association of Local Councils, and the Local Conditions of Service of the Mid Sussex District Council;
- (e) the making of appropriate recommendations in respect of community and other grants from the Town Council's revenue and capital funds;
- (f) giving consideration to, agreeing and making appropriate recommendation in respect of the Town Council's revenue estimates, including reimbursable expenditure;
- (g) Acting as lead Committee in respect of any partnership initiative of a corporate nature with the principal Local Authorities for the area including, as appropriate, the development of Joint Partnership Committees and Recommendations on Terms of Reference and constitutional matters.

**TR7 DELEGATION TO CHAIRMEN GENERALLY**

To cancel or postpone a meeting owing to lack of business or in an emergency.

To have discretion to include any item of an urgent nature under "Any Other Urgent Business" on the relevant Committee Agenda.

**TR8 LEADER OF THE COUNCIL**

In accordance with approved Council policy minute no. 52 of 1.12.03 that ratified Finance & General Purposes Committee minute 277 of 20.11.03, the Leader of the majority group on the Town Council at any time will assume the position of Leader of the Council and, *for the purposes of democratic legitimacy will be subject to formal appointment at the Annual Town Council meeting* (s)he will have the following approved powers:-

- (a) the Chairing of all meetings of the Chairmen's Group;
- (b) overseeing the preparation of business for Council consideration;
- (c) to act as the liaison between the majority group of the Council and the Town Clerk in indicating the priorities and programmes of the Group for inclusion in Council business and their likely reaction to new policies for projects;
- (d) to be the first port of call for the Town Clerk when an issue arises that requires a political or policy response from the Council and the issue does not naturally fall within the terms of reference of any of the four Programme Committees, and
- (e) in discussion with Members of the opposition group(s) to propose Council appointments to outside bodies.

## FINANCIAL REGULATIONS

### 1 **FINANCIAL ADMINISTRATION**

- 1.1 The Town Clerk, under the direction of the Finance & General Purposes Committee, shall regulate and control the finances and accounts of the Town Council and supervise and co-ordinate financial and accounting methods.
- 1.2 The Responsible Finance Officer (the Head of Finance and Support Services) shall be responsible, under general direction of the Town Clerk, for the proper administration of the Council's financial affairs and the production of financial management administration, all in accordance with approved policy.
- 1.3 The Amenities Manager is responsible for the day-to-day control of cleaning/caretaking staff and for the security and custody of East Court Mansion, Meridian Hall, Parish Halls and the Old Court House, their plant, equipment, materials and stores.

### 2 **FINANCIAL PLANNING AND ANNUAL ESTIMATES**

- 2.1 The Town Clerk shall each year recommend to the Town Council a programme for consideration of estimates and the programme is to include adequate time for such discussions between the Finance & General Purposes Committee, other programme committees and Council.
- 2.2 Detailed estimates of income and expenditure on revenue accounts, and receipts and payments on capital account, shall be prepared each year by the Town Clerk, in consultation with the Responsible Finance Officer, who will examine and complete the estimates and submit them to the committees responsible for the services by the prescribed date.
- 2.3 **The Finance & General Purposes Committee shall review the estimates and submit them to the Council not later than February in each year, together with such summaries, statements and reports as are considered desirable in order to enable Council to determine the precept to be levied for the ensuing year.**
- 2.4 Concurrently with the report to the Council and the proposed precept to be levied for the ensuing year, the Town Clerk shall report as to the funding of the capital programme in order to enable a definite programme for the following year to be determined.

### 3 **BUDGETARY CONTROL**

- 3.1 Expenditure on the revenue account may be incurred up to the amounts included in the approved budget, subject to the requirements of Standing Orders.
- 3.2 The Town Clerk has powers to vire amounts provided within the approved revenue and capital budgets, except in the case of sums provided for pay and allowances or when any continuing expenditure is to be generated.
- 3.3 Expenditure may not be incurred which cannot be met from the amount provided within the net revenue budget or when there is likely to result an overspending in the year unless a request for a supplementary estimate has been submitted to the Finance & General Purposes Committee. This regulation shall apply where such event would result in an increase in net cost within the financial year.

- 3.4 Except as provided in Standing Orders, all proposals involving expenditure on capital account shall be the subject of an annual report to the appropriate committee and the report shall include the full financial implications of the proposals.
- 3.5 The Finance & General Purposes Committee shall carry out a review of the expenditure and income of the Council at the same time as it undertakes its evaluation of the following year's budgetary requirements.

#### 4 **INCOME**

- 4.1 The collection of all sums due to the Council shall be under the supervision of the Responsible Finance Officer, who shall make and maintain adequate arrangements for prompt and proper accounting for all receipts of monies, including its collection, custody, control and deposit.
- 4.2 The Town Council will agree the scale of fees and charges for each service on, at least, an annual basis following a report of the Town Clerk.
- 4.3 Personal cheques of members of the public shall under no circumstances be cashed out of money held on behalf of the Council.

#### 5 **BANKING ARRANGEMENTS**

- 5.1 All arrangements with the Council's Bankers shall be made by or under arrangements approved by the Town Clerk who shall be authorised to operate such banking accounts as he/she may consider necessary.
- 5.2 All schedules approving bank payments by whatever means shall be presented to a meeting of the Finance & General Purposes Committee. **All cheques, except for those drawn on the Imprest Account, shall be signed by two specified Members of the Council. All standing Orders and Direct Debits shall be signed at inception by two specified Members of the Council. All lists of electronic payments (by BACS or Autopay) shall be signed by two specified Members of the Council, who will also release such payments by physically keying the computer instruction to the bank.**
- 5.3 Transfers between different bank accounts operated by the Council for the purposes of separating funds for particular purposes or for the purposes of maximising bank interest to the Council shall be authorised to the Bank in writing, or by online instruction, by the Responsible Finance Officer save that any single transfer of funds shall not exceed an amount approved on an annual basis at the annual Council meeting in May. Investment of surplus funds in excess of this figure shall be authorised by two Members of the Council.
- 5.4 The Town Clerk, or in his absence, a specified Member of the Council, is authorised to sign cheques on the Imprest Account to a value not exceeding an amount approved on an annual basis at the Annual Council Meeting in May.

## **6 ORDERING PROCEDURES**

- 6.1 Official Orders shall be issued for all work, goods or services to be supplied to the Council and such orders should be signed by the Amenities Manager, the Assistant Amenities Manager, the Business and Tourism Support Manager, the Responsible Finance Officer or the Town Clerk.
- 6.2 The Order Books shall be controlled by the Responsible Finance Officer.
- 6.3 Each Order raised shall conform to the directions of the Council with respect to Standing Orders.

## **7 PAYMENT PROCEDURES**

- 7.1 Apart from petty cash, the normal method of payment of money due from the Council shall be by cheque or other order drawn on the Council's Bankers, including by electronic transmission.
- 7.2 Before payment of accounts is made the Council's Finance Section under the authority of the Responsible Finance Officer should be satisfied that the goods have been authorised for payment by the relevant Head of Service, who will ensure that the goods/services have been received in accordance with the specification.
- 7.3 The payment of all salaries, wages and other emoluments shall be made by the Finance Section in accordance with the instructions of the Responsible Finance Officer concerning national pay awards and other information likely to have a bearing on individual members of staff conditions of service.
- 7.4 The Responsible Finance Officer is responsible for keeping all payments of salary and wages information fully up-to-date, including information on superannuation, income tax, national insurance and other statutory payments or deductions.

## **8 PETTY CASH ACCOUNT**

- 8.1 The Responsible Finance Officer shall maintain petty cash of such amount as may, from time to time, be necessary for the payment of small miscellaneous items and such urgent payments as may be determined.
- 8.2 Vouchers for payments made from these accounts shall be kept in accordance with instructions laid down from time to time by the Responsible Finance Officer.
- 8.3 Income received must not be paid into any petty cash account but must be separately banked in accordance with regulations.

## **9 LEGAL DOCUMENTS**

- 9.1 The Town Clerk shall have the custody of all Title Deeds of properties owned by the Council and shall ensure a record is maintained of all such properties and that all such documents are securely kept and maintained within the Council's Deed Box.

## 10 **INSURANCES**

- 10.1 The Responsible Finance Officer, in consultation with the Town Clerk shall effect all insurance cover and negotiate all claims.
- 10.2 All members of staff with line responsibility are responsible for notifying the Responsible Finance Officer of all new risks which require to be insured and of any alterations affecting existing risks or insurances.
- 10.3 A comprehensive record of all insurances effected by the Council and the property and risks covered thereby shall be maintained by the Responsible Finance Officer and this reviewed annually.
- 10.4 All members of staff are responsible for immediately notifying the Responsible Finance Officer, in writing, of any loss, liability or damage, or of any event likely to lead to a claim.

## 11 **INVESTMENTS, BORROWINGS AND TRUST FUNDS**

- 11.1 All investments of money under the control of the Council shall be in the name of the Council and made under arrangements approved by the Town Clerk, acting on recommendations of the Responsible Finance Officer, and within the approved policy of the Council.
- 11.2 All borrowings shall be effected in the name of the Council.

## 12 **INTERNAL AUDIT**

- 12.1 In accordance with approved best practice and legislative requirements the Town Council adopts a policy of programmed Internal Audit. This is conducted independent of the Finance Section and core responsibility rests with the Chairman of the Finance and General Purposes Committee supported, as appropriate, by other nominated persons and the Town Clerk. Appointment of the Internal Auditor will be ratified by Council each year in accordance with recommendations of Finance and General Purposes Committee.

## 13 **REVISION OF FINANCIAL REGULATIONS**

- 13.1 **It shall be the duty of the Finance & General Purposes Committee to review the Financial Regulations of the Council on an annual basis and to make recommendations to the Town Council.**