

STANDING ORDERS FOR ST BLAISE TOWN COUNCIL

RULES OF DEBATE AT MEETINGS.

Motions on the Agenda shall be considered in the order that they appear unless the order is changed at the discretion of the chair of the meeting.

A motion (including an amendment) shall not be progressed unless it has been moved and seconded.

DISORDERLY CONDUCT AT MEETINGS

No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chair of the meeting shall request such person(s) to moderate or improve their conduct.

If person(s) disregard the request of the chair of the meeting to moderate or improve their conduct, any councillor or the chair 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.

If a resolution made under standing order 2(b) is ignored, the chair 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.

MEETINGS

Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost. Meetings of the Council shall be held at St Blazey Community Rooms, St Blazey as 7.30pm, unless the Council otherwise decides at a previous meeting.

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.

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.

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.

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.

The period of time designated for public participation at a meeting shall not exceed 3 minutes per speaker unless directed by the chairman of the meeting.

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 meetings 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.

A person present at a meeting may not provide an oral report or oral Commentary about a meeting as it takes place without permission.

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.

Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman of the Council may in their absence be done by, to or before the Vice-Chairman of the Council (if any).

The Chair of the Council, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if present, shall preside. If both the Chairman and the Vice- Chairman are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.

Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors present.

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 their casting vote whether or not they gave an original vote.

Voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave their vote for or against that question.

A 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 their right to participate and vote on that matter.

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.

If a meeting is or becomes inquorate no business shall be transacted and the meeting will be closed. The business on the agenda for the meeting shall be adjourned to another meeting.

A meeting shall not exceed a period of 2.5 hours.

COMMITTEES AND SUB-COMMITTEES

Unless the council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.

The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the council.

Unless the council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.

ORDINARY COUNCIL MEETINGS.

In an election year, the annual meeting of the council shall be held on or within 14 days following the day on which the new councillors elected take office.

In a year which is not an election year, the annual meeting of a council shall be held on such day in May as the council may direct.

If no other time is fixed, the annual meeting of the council shall take place at 6pm.

In addition to the annual meeting of the council, at least three other ordinary meetings shall be held in each year in September, January and March. All additional meetings held shall be held on the last Thursday in the months of February, April, June, July, August, October and November unless previously agreed.

The first business conducted at the annual meeting of the council shall be the election of the Chairman and Vice-Chairman (if any) of the Council.

The Chairman of the Council, unless they have resigned or becomes disqualified, shall continue in office and preside at the annual meeting until their successor is elected at the next annual meeting of the council.

The Vice-Chairman of the Council, if any, unless they resign or become disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the council.

In an election year, if the current Chairman of the Council has not been re-elected as a member of the council, they shall preside at the annual meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but shall give a casting vote in the case of an equality of votes.

In an election year, if the current Chairman of the Council has been re-elected as a member of the council, they shall preside at the meeting until a new Chairman of the Council has been elected. They may exercise an original vote in respect of the election of the new Chairman of the Council and must give a casting vote in the case of an equality of votes.

Following the election of the Chairman/May of the Council and Vice-Chairman (if any) of the Council at the annual meeting of the council, the business of the annual meeting shall include:

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;

Confirmation of the accuracy of the minutes of the last meeting of the council.

Review of delegation arrangements to committees, sub-committees and other representations.

Appointment of members to existing committees.

EXTRA ORDINARY COUNCIL MEETINGS.

The Chairman of the Council may convene an extraordinary meeting of the council at any time.

If the Chair of the Council does not or refuses to call an extraordinary meeting of 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 must be signed by the two councillors.

PREVIOUS RESOLUTIONS.

A resolution shall not be reversed within six months except either by a special motion which requires written notice by at least 2 councillors.

VOTING ON APPOINTMENTS

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 with the least votes shall be struck off the list and a fresh vote taken. The process shall continue until a majority of votes is given in favour of one person. A tie in votes may be settled by the Chairs casting vote.

MOTIONS FOR A MEETING

The decision of the Proper Officer as to whether or not to include a motion on the agenda shall be final.

Motions rejected shall be recorded with an explanation by the Proper Officer for the reason for rejection.

MOTIONS FOR A MEETING THAT DO NOT REQUIRE PROPER OFFICER PERMISSION

- i. to correct an inaccuracy in the draft minutes of a meeting;
- ii. to move to a vote;
- iii. to defer consideration of a motion;
- iv. to refer a motion to a particular committee or sub-committee;
- v. to appoint a person to preside at a meeting;
- vi. to change the order of business on the agenda;
- vii. to proceed to the next business on the agenda;
- viii. to require a written report;
- ix. to appoint a committee or sub-committee and their members;
- x. to extend the time limits for speaking;
- xi. to exclude the press and public from a meeting in respect of confidential or other information which is prejudicial to the public interest;
- xii. to not hear further from a councillor or a member of the public;
- xiii. to exclude a councillor or member of the public for disorderly conduct;
- xiv. to temporarily suspend the meeting;
- xv. to suspend a particular standing order (unless it reflects mandatory statutory or legal requirements);

- xvi. to adjourn the meeting; or
- xvii. to close the meeting.

MANAGEMENT INFORMATION

The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including persona 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.

The Council shall have in place, and keep under review, policies for the safe destruction of all information (including persona data) which it holds in paper and electronic form. The Councils retention policy shall confirm the period for which information (including persona data) shall be retained or if this is not possible the criteria used to determine that period (e.g. The Limitations Act 1980)

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.

Councillors, staff, the Councils contractors and agents shall not disclose confidential Information or personal data without legal justification.

DRAFT MINUTES

Once Minutes have been approved, they will be published within one month of the meeting on a web-site which is publicly accessible and free of charge.

CODE OF CONDUCT AND DISPENSATIONS

The Council has adopted the Cornwall Code of Conduct which will apply to all councillors and members of the public co-opted to serve on Committees and Sub Committees of the Council in respect of the entire meeting. A decision as to whether to grant

Dispensation requests shall be in writing and submitted to the Proper Officer.

A decision as to whether to grant a dispensation shall be made by a meeting of the council, committee or sub-committee.

A dispensation may be granted in accordance with standing orders if having regard to all relevant circumstances any of the following apply:

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 transactions of the business.

Granting the dispensation is in the interests of persons living in the Councils area.

It is otherwise appropriate to grant a dispensation

CODE OF CONDUCT COMPLAINTS

All councillors shall undertake training in the code of conduct within 6 months of the delivery of their declaration of acceptance of office.

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 them. Such action excludes disqualification or suspension from office.

PROPER OFFICER.

The Proper Officer shall be the clerk.

The Proper Officer shall **at least three clear days before a meeting of the council, a committee and a sub-committee serve on councillors, by delivery or post at their residences or by email authenticated in such a manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda provided the councillor has consented to service by email), and**

Provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with the agenda of an extraordinary meeting of the council convened by councillors is signed by them)

Facilitate inspection of the minute book by local government electors;

Receive and retain copies of byelaws made by other local authorities.

RESPONSIBLE FINANCIAL OFFICER

The clerk shall be the responsible financial officer, the council shall appoint appropriate substitute to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

ACCOUNTS AND ACCOUNTING STATEMENTS

All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Councils financial regulations.

FINANCIAL CONTROLS AND PROCUREMENT

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

Where the value of a contract is likely to exceed the threshold specified by the Office of Government Commerce from time to time, the Council must consider whether the Public Contracts Regulations 2015 or the Utilities Contractors Regulations 2016 apply to the Contract and, if either of those Regulations apply, the Council must comply with Procurement rules. NALC's procurement guidance contains further details.

HANDLING STAFF MATTERS

Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.

RESPONSIBILITIES TO PROVIDE INFORMATION

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.

RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his/her/their personal data.

The Council shall have a written policy in place for responding to and managing a personal data breach.

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.

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.

The Council shall maintain a written record of its processing activities.

RELATIONS WITH THE PRESS/MEDIA

Requests from the press or other media for an oral or written comment or statement from the Council, its councillors or staff shall be handled in accordance with the Council's policy in respect of dealing with the press and/or other media.

EXECUTION AND SEALING OF LEGAL DEEDS..

A legal deed shall not be executed on behalf of the council unless authorised by a resolution.

Any two councillors may sign, on behalf of the council, any deed required by law and the Proper Officer shall witness their signatures.

COMMUNICATING WITH UNITARY COUNCILLORS

An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the ward councillor Unitary Authority.

RESTRICTIONS ON COUNCILLOR ACTIVITIES.

Unless authorised by a resolution, 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.

STANDING ORDERS GENERALLY

The Proper Officer shall provide a copy of the council's standing orders to a councillor as soon as possible after he has delivered his acceptance of office form.

These standing orders were adopted by St Blaise Town Council at a meeting on 31st July 2025.