

Mollington Parish Council

Standing Orders

Preamble

1. Title and Area

The Council shall be called the Mollington Parish Council and operate in the area specified in the Statutory Order setting up the Parish Council or in any subsequent amendment.

2. Definitions

Unless the sense suggests otherwise, any reference to 'Council' or 'the Council' means the Mollington Parish Council and any reference to 'the Clerk' means the Clerk of the Council. The expression 'Chairman' means the Chairman of the Council.

3. Functions

The functions of the Council shall be to:

- (a) Exercise such power and duties as are laid upon it by these rules
- (b) Exercise such powers and duties as are laid upon it by statute
- (c) Exercise such powers and duties as are laid upon it by delegation from the Cheshire West and Chester Council or their successors in title
- (d) Protect, enhance and promote the environment of the area of the Parish Council
- (e) Protect, enhance and promote the collective interests and wellbeing of the residents of the parish of Mollington
- (f) Make representations to Cheshire West and Chester Council (or their successors in title) and any other statutory body or public utility on matters affecting the residents of the area of Mollington parish.
- (g) Stimulate and foster support for approved policies of the Council.

4. Constitution

- (a) The Council shall consist of seven Members elected by the electors of the parish of Mollington or such other number as may be specified by the Borough Council which shall not be less than five and such co-opted Members as the Council may determine.
- (b) All Councillors shall retire together in every ordinary year of election of such Councillors on the fourth day after the ordinary day of election of such Councillors and the newly elected Councillors shall come into office on the day on which their predecessors retire.

5. Financial and Administrative Year

The Financial and Administrative year of the Council shall be in the period commencing on the first day of April and ending on the thirty-first day of March the following year.

1 Meetings generally

- 1.1 Meeting 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.
- 1.2 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 (including Maundy Thursday) or of a bank holiday or a day appointed for public thanksgiving or mourning, unless the meeting is convened at shorter notice.
- 1.3 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.
- 1.4 Subject to Standing Order 1.3 above, members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included in the agenda.
- 1.5 The period of time allowed for public questions and representations which is at the Chairman's discretion, shall not exceed 30 minutes.
- 1.6 Each member of the public is entitled to speak once only in respect of business itemised on the agenda and shall not speak for more than 3 minutes.
- 1.7 A questions asked by a member of the public during a public participation session at a meeting shall not require a response or debate. The Chairman may direct that a response be referred to a Councillor for an oral response or to the Clerk for a written or oral response.
- 1.8 A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- 1.9 Any person speaking at a meeting shall address his comments to the Chairman.
- 1.10 **A person may not orally report or comment about a meeting as it takes place if he is present at the meeting of a Parish Council but otherwise may:**
 - (a) film, photograph or make an audio recording of a meeting;
 - (b) use any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later;
 - (c) report or comment on the proceedings in writing during or after a meeting or orally report or comment after the meeting.
- 1.11 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.
- 1.12 Subject to Standing Orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman may, in his absence be done by, to or before the Vice-Chairman (if any).
- 1.13 The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.
- 1.14 The Chairman of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote.
- 1.15 Unless Standing Orders provide otherwise, 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 his vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.
- 1.16 The Minutes of a meeting shall record the names of Councillors present and absent and those who have submitted apologies.
- 1.17 The Code of Conduct adopted by the Council shall apply to Councillors in respect of the entire meeting.

- 1.18 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.**
- 1.19 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.**
- 1.20 If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be adjourned. Any outstanding business of a meeting so adjourned shall be transacted at a following meeting.**
- 1.21 A meeting shall not exceed a period of two hours except by resolution of the Council.**

2 Ordinary Council meetings

- 2.1 In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the new Councillors elected take office.**
- 2.2 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.**
- 2.3 In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council directs.**
- 2.4 The election of the Chairman and Vice-Chairman of the Council shall be the first business conducted at the annual meeting of the Council**
- 2.5 The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.**
- 2.6 The Vice-Chairman of the council, if any, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.**
- 2.7 In an election year, if the current Chairman of the council has not been re-elected as a member of the Council, he shall preside at the meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but must give a casting vote in the case of an equality of votes.**
- 2.8 In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he shall preside at the meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and must give a casting vote in the case of an equality of votes.**
- 2.9 Following the election of the Chairman and Vice-Chairman at the annual meeting of the Council the order of business shall be:**
- (1) in an election year, delivery by Councillors of their acceptance of office
 - (2) confirmation of the accuracy of the Minutes of the last meeting of the Council;
 - (3) review any delegation arrangements
 - (4) review and adoption of appropriate Standing Orders and Financial Regulations;
 - (5) review of representation on or work with external bodies;
 - (6) in an election year, if the Council's period of eligibility to exercise the power of wellbeing expired the day before the annual meeting, to review and make arrangements to reaffirm eligibility
 - (7) review of inventory of land and assets including buildings and office equipment;
 - (8) confirmation of arrangements for insurance cover in respect of all insured risks;
 - (9) review of the Council's and/or employees membership of other bodies;
 - (10) Establishing or reviewing the Council's complaints procedure;
 - (11) Establishing or reviewing the Council's procedure for handling requests made under the Freedom of Information Act 2000 and the Data Protection Act 1998;
 - (12) Establishing or reviewing the Council's policy for dealing with the press/media; and
 - (13) setting the dates, times and place of ordinary meetings of the Council for the year ahead.

3 Proper Officer

- 3.1 The Council's Proper Officer shall be the Clerk who shall fulfil the duties assigned to the Proper Officer in Standing Orders..
- 3.2 The Proper Officer shall do the following:
- (1) **at least three clear days before the meeting sign and serve on Councillors, by delivery or post at their residences** or by electronic means, subject to agreement, **a summons confirming the time, date, venue and the agenda of a meeting of the Council;**
 - (2) **at least three clear days before a meeting, give public notice of the time, date, venue and agenda of the meeting (provided that the public notice with agenda of an ordinary meeting of the Council convened by Councillors is signed by them)**
 - (3) **convene a meeting of the Council for the election of a new Chairman of the Council occasioned by a casual vacancy in this office;**
 - (4) make available for inspection the minutes of meetings;
 - (5) **receive and retain copies of bylaws made by other local authorities;**
 - (6) **receive and retain declarations of acceptance of office forms from Councillors;**
 - (7) retain a copy of every Councillor's register of interests and any changes to it and keep copies of the same available for inspection;
 - (8) process all requests made under the Freedom of Information Act 2000 and Data protection Act 1998, in accordance with and subject to the Council's policies and procedures relating to the same;
 - (9) receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
 - (10) manage the organisation, storage of, access to and destruction of information held by the Council in paper and electronic form;
 - (11) arrange for legal deeds to be signed by two Councillors and witnessed;
 - (12) arrange for the authorisation, approval and instruction regarding any payments to be made by the Council in accordance with the Council's Financial Regulations;

4 Motions requiring written notice

- 4.1 No motion may be moved at a meeting unless it is included in the agenda and the mover has given written notice of its wording to the Council's Proper Officer at least ten clear days before the meeting.
- 4.2 The Proper Officer may, before including a motion in the agenda, correct obvious grammatical or typographical errors in the wording of the motion.
- 4.3 If the Proper Officer considers the wording of a motion is not clear in meaning, the motion shall be rejected until the mover re-submits it in writing to the Proper Officer in clear and certain language at least seven clear days before the meeting.
- 4.4 If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult the Chairman, or the Councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- 4.5 Having consulted the Chairman or Councillors, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.
- 4.6 Notice of every motion received in accordance with the Council's Standing Orders shall be numbered in the order received and shall be entered in a book which shall be open to inspection by all Councillors.
- 4.7 Every motion rejected in accordance with the Council's Standing Orders shall be duly recorded with a note by the Proper Officer giving reasons for its rejection in a book for that purpose which shall be open to inspection by all Councillors.
- 4.8 Every motion and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's are or its residents.

5 Motions at a meeting that do not require written notice

- 5.1 The following motions may be moved at a meeting without written notice to the Proper Officer:
- (1) to appoint a person to preside at a meeting;
 - (2) To approve the absence of Councillors;
 - (3) to approve the accuracy of the Minutes of the previous meeting;
 - (4) to correct an inaccuracy in the minutes of a previous meeting;
 - (5) to dispose of business, if any, remaining from a previous meeting;
 - (6) to alter the order of business on the agenda for reasons of urgency or expedience
 - (7) to proceed to the next business
 - (8) to close or adjourn debate
 - (9) to refer by formal delegation a matter to a committee or sub-committee or an employee
 - (10) to consider a report and/or recommendations made by an employee, professional advisor, expert or consultant
 - (11) to authorise legal deeds to be signed by two Councillors and witnessed
 - (12) to authorise the payment of monies up to £2,000
 - (13) to amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it
 - (14) to extend the time limit for speeches
 - (15) to exclude the press and public for all or part of a meeting
 - (16) to defer consideration of a motion;
 - (17) to give the consent of the Council if such consent is required by Standing Orders
 - (18) to suspend any Standing Order except those which are mandatory by law (**in bold type**);
 - (19) to adjourn the meeting;
 - (20) to appoint representatives to outside bodies and to make arrangements for those representatives to report back on the activities of outside bodies;
 - (21) to answer questions from councillors.
- 5.2 If a motion falls within the delegated powers conferred on an employee, a referral of the same may be made to the employee provided that the Chairman may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

6 Code of Conduct

- 6.1 **All Councillors shall observe the Code of Conduct adopted by the Council.**
- 6.2 **If paragraph 12(2) of the Code of Conduct contained in the Local Authorities (Model Code of Conduct) Order 2007 (SI No.1159) has been adopted by the Council or pursuant to relevant provisions in a statutory Code of Conduct in force at the time, Councillors may exercise the rights contained in Standing 6.3 below only if members of the public are permitted to (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted.**
- 6.3 **Councillors with a prejudicial interest in relation to any item of business being transacted at a meeting may (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted but must thereafter leave the room.**

7 Questions

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

8 Minutes

- 8.1 If a copy of the draft Minutes of a preceding meeting have been circulated to Councillors no later than the day of service of the summons to attend the scheduled meeting, they shall be taken as read.
- 8.2 No discussion of the draft Minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the Minutes shall be moved in accordance with Standing Order 5.1(4) above.

- 8.3 Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the Chairman of the meeting and stand as an accurate record of the meeting to which the Minutes relate.
- 8.4 If the Chairman of the meeting does not consider the Minutes to be an accurate record of the meeting to which they relate, he shall sign the Minutes and include a paragraph in the following terms or to the same effect:

“The Chairman of this meeting does not believe that the Minutes of the meeting of the () held on (date) in respect of () were a correct record but his view was not upheld by the meeting and the Minutes are confirmed as an accurate record of the proceedings.”

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

9 Disorderly Conduct

- 9.1 No person shall obstruct the transaction of business at a meeting or behave offensively or improperly.
- 9.2 If in the Chairman’s opinion, there has been a breach of Standing Order 9.1 (above) the Chairman shall express that opinion and thereafter any Councillor (including the Chairman) may move that the person be silenced or excluded from the meeting and the motion, if seconded, shall be put forthwith and without discussion.
- 9.3 If a resolution made in accordance with Standing Order 9.2 above is disobeyed, the Chairman may take such further steps as may reasonably be necessary to enforce it and/or he may adjourn the meeting.

10 Rescission of Previous Resolutions

- 10.1 A resolution (whether affirmative or negative) of the Council shall not be reversed within six months except either by a special motion, the written notice whereof bears the names of at least three councillors, or by a motion moved in pursuance of the report or recommendation of a Committee.
- 10.2 When a special motion or any other motion moved pursuant to Standing Order 10.1 above has been disposed of, no similar motion may be moved within a further six months.

11 Voting on Appointments

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

12 Expenditure

- 12.1 Any expenditure incurred by the Council shall be in accordance with the Council’s Financial Regulations.

12.2 The Council’s Financial Regulations shall be reviewed annually

- 12.3 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 or to an employee.**

13 Execution and sealing of legal deeds

- 13.1 A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- 13.2 In accordance with a resolution made under Standing Order 13.1 above, any two Councillors may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.**

14 Committees

- 14.1 The Council may at any time appoint standing committees and
- (1) shall determine their terms of reference
 - (2) shall appoint and determine the term of office of members of such a committee (unless the appointment of non-councillors is prohibited by law) so as to hold office no later than the next annual meeting;

- (3) may appoint substitute Councillors to a Committee if ordinary Councillors of the Committee have confirmed to the Proper Officer three days before the meeting that they are unable to attend. An ordinary member of a Committee who has been replaced at a meeting by a substitute member shall not be permitted to participate in debate or vote on business at that meeting and may only speak during any public participation session during the meeting.
- (4) may dissolve a Committee at any time.

15 Sub-Committees

- 15.1 Unless there is a Council resolution to the contrary, every Committee may appoint a sub-committee whose terms of reference and membership shall be determined by resolution of the Committee.

16 Extraordinary Meetings

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

16.2 If the Chairman 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

17 Accounts and Financial statement

17.1 "Proper practices" in Standing Orders refer to the most recent version of "*Governance and Accountability for Local Councils – a Practitioner's Guide*" issued by the Joint Practitioners Advisory Group (JPAG), available from the websites of NALC and the Society of Local Council Clerks (SLCC).

17.2 All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council's Financial Regulations, which shall be reviewed at least annually.

17.3 The Responsible Financial Officer (RFO) shall supply to each Councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement summarising the Council's receipts and payments for each quarter and the balances held at the end of a quarter. This statement should include a comparison with the budget for the financial year.

17.4 The Statement of Accounts of the Council including the annual governance statement shall be presented to the Council for formal approval before 30 June.

18 Estimates/Precepts

18.1 The Council shall approve written estimates for the coming financial year at its meeting before the end of January.

19 Canvassing of and recommendations by Councillors

19.1 Canvassing councillors directly or indirectly for appointment to or by the Council shall disqualify the candidate from such an appointment. The Proper Officer shall disclose the requirements of this standing order to every candidate.

19.2 A Councillor shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for promotion but, nevertheless, any such person may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.

19.3 This Standing Order shall apply to tenders as if the person making the tender were a candidate for an appointment.

20 Inspection of Documents

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

21 Unauthorised Activities

- 21.1 Unless authorised by a resolution, no individual shall in the name of or on behalf of the Council
- (1) inspect any land and/or premises which the Council has a right or duty to inspect; or
 - (2) issue orders, instructions or directions

22 Confidential Business

22.1 Councillors shall not disclose information given in confidence or which they believe, or ought to be aware, is of a confidential nature.

23 Power of Wellbeing

23.1 Before exercising the power to promote wellbeing, a meeting of the Council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria required to qualify as an eligible Parish Council

23.2 The Council's period of eligibility begins on the date that the resolution under Standing Order 23.1 above was made and expires on the day before the annual meeting of the Council that takes place in a year of ordinary elections.

23.3 After the expiry of its preceding period of eligibility the Council continues to be an eligible Council solely for the purpose of completing any activity undertaken in the exercise of the power to promote wellbeing which was not completed before the expiry of the Council's preceding period of eligibility.

24 Matters affecting Council employees

24.1 If a meeting considers any matter personal to a Council employee, it shall not be considered until the Council has decided whether or not the press and public shall be excluded pursuant to Standing Order 1.3 above.

24.2 Subject to the Council's policy regarding the handling of grievance matters, the Clerk shall contact the Chairman, or in his absence the Vice-Chairman, in respect of an informal or formal grievance matter and this matter shall be reported back and progressed by resolution of the Council.

24.3 Subject to the Council's policy regarding the handling of grievance and disciplinary matters, if an informal or formal grievance matter raised by an employee relates to the Chairman or Vice-Chairman of the Council this shall be communicated to another member of the Council and shall be reported back and progressed by resolution of the Council.

24.4 The Clerk shall keep a written record of all meetings relating to performance and capabilities, grievance or disciplinary matters.

24.5 The Council shall keep written records relating to employees secure.

25 Freedom of Information Act

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

25.2 Correspondence from, and notice served by the Information Commissioners shall be referred by the Proper Officer to the Chairman. The Council shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000 including exercising the powers of the Proper Officer in respect of Freedom of Information requests set out above.

26 Relations with the press/media

26.1 All requests from the press or other media for an oral or written comment or statement from the Council shall be processed in accordance with the Council's policy in respect of dealing with the press and/or other media.

26.2 Councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media unless authorised by the Council.

27 Liaison with Cheshire West & Chester Councillors

27.1 An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the Councillor of the Cheshire West & Chester Council representing its electoral ward.

27.2 Unless the Council otherwise orders, a copy of any letter sent to Cheshire West & Chester Council shall be sent to the Cheshire West & Chester ward councillor.

28 Financial controls and procurement

28.1 The Council shall consider and approve Financial Regulations drawn up by the RFO which shall include detailed arrangements in respect of the following:

- (a) the accounting records and systems of internal controls;
- (b) the assessment and management of financial risks faced by the Council;

- (c) the work of the internal auditor in accordance with proper practices and the receipt of an annual report from the internal auditor;
- (d) the inspection and copying by Councillors and local electors of the Council's accounts and/or orders of payments; and
- (e) procurement policies including the setting of values for different procedures where a contract has an estimated value of less than £60,000

28.2 Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £60,000 shall be procured on the basis of a formal tender as summarised in Standing Order 16.4 below.

28.3 Any formal tender process for contracts for the supply of goods, materials, services or the execution of works shall comprise of the following steps:

- (a) a public notice of intention to place a contract to be placed in a local newspaper;
- (b) a specification of the goods, materials, services and the execution of works shall be drawn up
- (c) tenders to be sent, in a sealed marked envelope, to the Proper Officer;
- (e) tenders submitted to be opened, after the stated closing date and time, by the Proper Officer and one member of the Council
- (f) tenders to be assessed and reported to the next meeting of the Council

28.4 The Council is not bound to accept the lowest value tender, estimate or quote.

28.5 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.

29 Allegations of breaches of the Code of Conduct

29.1 Upon receipt of a notification that there has been an alleged breach of the Code of Conduct the Proper Officer shall refer it to a committee known as the Conduct Committee.

29.2 Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of the Conduct Committee of that fact and the Chairman shall nominate a Councillor to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Council has agreed what action, if any, to take

29.3 The subject matter of notifications shall be confidential and, insofar as it is possible to do so by law, the Council (including the Proper Officer and the Chairman of the Conduct Committee) shall take the steps set out below, together with any other steps considered necessary to maintain confidentiality.

- (1) draft the summonses and agendas in such a way that the identity and subject matter of the complaint are not disclosed;
- (2) Ensure that any background papers containing the information set out in Standing Order 29.1 above are not made public;
- (3) Ensure that the public and press are excluded from meetings as appropriate;
- (4) Ensure that the Minutes of meetings preserve confidentiality;
- (5) Consider any liaison that may be required with the person or body with statutory responsibility for the investigation of the matter.

29.4 Standing Order 29.4 above should not be taken to prohibit the Council (whether through the Proper Officer or the Chairman of the Conduct Committee from disclosing information to members and officers of the Council or to other persons where such disclosure is necessary to deal with the complaint or is required by law.

29.5 The Conduct Committee shall have the power to:

- (1) seek documentary and other evidence from the person or body with statutory responsibility for investigation of the matter;
- (2) seek and share information relevant to the complaint
- (3) grant the member involved a financial indemnity in respect of legal costs, which shall be in accordance with the law and subject to approval by a meeting of the Council.

29.6 References to a notification shall be taken to refer to a communication of any kind which relates to a breach or an alleged breach of the Code of Conduct by a Councillor.

30 Variation, revocation and suspension of Standing Orders

- 30.1 Any or every part of the Standing Orders, except those that are mandatory by law **(in bold type)**, may be suspended by resolution in relation to any specific item of business.
- 30.2 A motion to add to or vary or revoke one or more of the Council's Standing orders not mandatory by law shall be proposed by a special motion the written notice whereof bears the names of at least three Councillors

31 Standing Orders to be given to Councillors

- 31.1 The Proper Officer shall provide a copy of the Council's Standing Orders to a Councillor upon delivery of his acceptance of office form.
- 31.2 The Chairman's decision as to the application of Standing Orders at meetings shall be final.
- 31.3 A Councillor's failure to observe Standing Orders more than three times in one meeting may result in him being excluded from the meeting.