

STANDING ORDERS

FOR

LOOE TOWN COUNCIL

Looe Town Council

This is issued for the guidance of Councillors and does not in itself constitute a Standing Order, nor is it comprehensive.

1. Preamble.
 - a. The Looe Town Council is the only public body within Looe whose members are elected *, **, and subjected to being re-elected, on a four year cycle.
 - b. It is the only body that has a legal mandate to represent all the people of Looe.
 - c. The Council operates in accordance with Standing Orders which are produced within the regulations set out by Government Legislation and approved at full Council. They are under constant review.

2. The role of the Council is:-
 - a. Representing the community at County level in the shaping and building of local identity, provision of services, transport and housing.
 - b. Representing the community at County level, and with other organisations, to ensure that their views in formulating policies that effect the community are known.
 - c. Representing the views of the community at national and regional levels.
 - d. Liaison with Police to aid upholding and enforcement of the law.
 - e. Helping to regulate harmful and disruptive behaviours.
 - f. Maintaining cohesiveness of the community and supporting debate within the community to ensure smaller voices are heard.
 - g. Helping to resolve local disagreements over planning or resources matters and having an input on such matters to Cornwall Council.
 - h. Working to make the local economy more successful, to support the creation of new businesses and jobs in the areas, including through making the area attractive to new investment and skilled workers, and helping to manage economic change.
 - i. Understanding the local needs and preferences and working with other authorities to ensure that the right services are provided to local people.

3. Liaison with Cornwall Council, Police, Fire and Rescue Services, RNLI, MCGA and other agencies in the event of national disasters and emergencies including flooding.

4. To ensure that the views of the contiguous Parishes are taken into consideration in the formulating of policies or plans that may affect them or their communities.

5. To support those other organisations within Looe who are striving to improve the environs and work opportunities for the people of Looe.
- * For the purposes of Local Government those that put themselves forward for election, even though through lack of numbers an election is not actually held, will be deemed to have been elected.
 - ** The Harbour Commissioners are also elected, but on a three year cycle, and are concerned only with the operation of the Looe Harbour and waters.

OFFICIAL SUB-COMMITTEES OF COUNCIL

Sub-Committee of Full Council

1. Looe Regeneration Partnership

Sub-Committees of Environment & Public Protection Committee

1. Traffic Working Party
2. CCTV
3. Car Park
4. Public Conveniences and Street Cleaning

Sub-Committees of Procedures Committee

1. Standards
2. Quality Town Status
3. Newsletter
4. Town Plan
5. Website

Sub-Committees of Planning Committee

1. Planning Liaison
2. Building Control Forum

STANDING ORDERS FOR LOOE TOWN COUNCIL

Presented to the Council as a Resolution on
12th April 2010 and passed in Council on that date

MEETINGS

1. Meetings shall be held at 7pm at The Guildhall, East Looe, unless the Council decides otherwise at a previous Meeting.
2. The Statutory Annual Meeting
 - (a) In an election year shall be held on the second Monday following the day of election.
 - (b) In other years, on the Monday following between the 12th and 18th day of May.
3. The Town Meeting will be held immediately after the Annual Meeting.
4. The regular Meetings of Council shall be held on the second Monday following the Annual Meeting and on each subsequent sixth Monday until the December Meeting which shall be held on the fourth Monday after the previous regular date. Subsequent Meetings shall be on each subsequent sixth Monday.
Where the regular date of a Meeting is on a Bank Holiday, the Meeting shall take place on the following day.

CHAIRMAN OF MEETING

5. The person presiding at a Meeting may exercise all the powers and duties of the Chairman in relation to the conduct of the Meeting.
6. PROPER OFFICER
Where a statute, regulation or order confers functions or duties on the proper officer of the Council in the following cases, he/she shall be the Clerk:
 - (a) To receive declarations of acceptance of office.
 - (b) To receive and record notices disclosing personal interests/or prejudicial interests.
 - (c) To receive and retain plans and documents.
 - (d) To sign notices or other documents on behalf of the Council.
 - (e) To receive copies of byelaws made by Cornwall Council.
 - (f) To certify copies of byelaws made by the Council.
 - (g) To sign summonses to attend Meetings of the Council.In any other case the proper officer shall be the person nominated by the Council and, in default of nomination, the Clerk.

QUORUM

7. Five Members shall constitute a quorum.
8. If a quorum is not present when the Council meets or if during a Meeting the number of Councillors present and not debarred by reason of a declared prejudicial interest falls below the quorum, the business not transacted at that Meeting shall be transacted at the next Meeting or on such other day as the Chairman may fix.

VOTING

9. Where nominees exceed vacancies, voting for all Council appointments shall be by ballot. In other cases, voting shall be by show of hands.
10. If a Member so requires, the Clerk shall record the names of the Members who voted on any question so as to show whether they voted for or against it.
11. (1) Subject to (2) and (3) below the Chairman may give an original vote on any matter put to the vote, and in the case of an equality of votes may give a casting vote even though he gave no original vote.

(2) If the person presiding at the Annual Meeting would have ceased to be an Member of the Council but for the statutory provision which preserve the Membership of the Chairman and Vice-Chairman until the end of their term of office he may not give an original vote in an election for Chairman.

(3) The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman.

ORDER OF BUSINESS

12. At each Annual Meeting of the first business shall be
 - (a) To elect a Town Mayor.
 - (b) To receive a Town Mayor's declaration of acceptance of office or, if not then received, to decide when it shall be received.
 - (c) In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.

- (d) To decide when any declaration of acceptance of office which have not been received as provided by law shall be received.
 - (e) To elect a Deputy Mayor.
 - (f) To appoint Committees.
 - (g) To appoint Council representatives.
13. At every Meeting other than the Town Meeting the first business shall be to appoint a Chairman if the Town Mayor or Deputy Town Mayor be absent, and to receive such declarations of acceptance of office (if any) as are required by law to be made, or if not then received to decide when they shall be received.
14. In every year not later than the Meeting at which the estimates for next year are settled the Council shall review the pay and conditions of service of existing employees. (See Standing Order 33 below).
15. To allow time (3 minutes) for public questions or statements before the official business of Council.
16. After the first business has been completed, the order of business, unless the Council otherwise decides on the ground of urgency, shall be as follows:
- (a) To receive declarations of personal interest or prejudicial interest.
 - (b) To read and consider the Minutes; provided that a copy has been circulated to each Member not later than the day of issue of the summons to attend the Meeting, the Minutes may be taken as read.
 - (c) After consideration to approve the signature of the Minutes by the person presiding as a correct record.
 - (d) To receive a Report from a representative of the Local Constabulary.
 - (e) To receive a Report from the Cornwall Councillors' for East and then West Looe.
 - (f) To receive a Report from the Looe Community School Council Representative.
 - (g) To deal with business expressly required by statute to be done.

(h) To dispose of business, if any, remaining from the last Meeting.

(i) To receive such communications as the person presiding may wish to lay before the Council.

(j) To receive and consider reports and minutes of committees.

(k) To receive and consider reports from officers of the Council.

(l) To authorise the sealing of documents.

(m) To consider resolutions or recommendations in the order in which they have been notified.

(n) Any other business specified in the summons.

(o) Any other items which the Chairman decided, for stated reasons, are urgent.

Note: Business which a councillor wishes to have included under this item must be notified to the Chairman not later than noon on the last working day before the Meeting.

(p) To authorise the signing of orders for payment.

17. A motion to vary the order of business on the ground of urgency
- (a) may be proposed by the Chairman or by any Member and, if proposed by the Chairman, may be put to the vote without being seconded, and
 - (b) shall be put to the vote without discussion.

RESOLUTIONS MOVED ON NOTICE

18. Except as provided by these Standing Orders, no resolution may be moved unless the business to which it relates have been put on the Agenda by the Clerk or the mover has given notice in writing of its terms and has delivered the notice to the Clerk by not later than by mid-day on the Monday of the preceding week of the Meeting.
19. The Clerk shall insert in the summons for every Meeting all notices of motion or recommendation properly given in the order in which they have been received unless the Member giving a notice of motions has stated in writing that he intends to move at some later Meeting or that he withdraws it.
20. If a resolution or recommendation specified in the summons is not moved either by the Member who gave notice of it or by any other Member, it shall, unless postponed by the Council, be

treated as withdrawn and shall not be moved without fresh notice.

21. If the subject matter of a resolution comes within the province of a committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to such committee or to such other committee as the Council may determine for report; provided that the Chairman, if he considers it to be a matter of urgency, may allow it to be dealt with at the Meeting at which it was moved.
22. Every question or recommendation shall be relevant to some question over which the Council has power or which affects its area.

RESOLUTIONS MOVED WITHOUT NOTICE

23. Resolutions dealing with the following matters may be moved without notice:-
 - (a) To appoint a Chairman of the Meeting.
 - (b) To correct the Minutes
 - (c) To approve the Minutes
 - (d) To alter the order of business
 - (e) To proceed to the next business
 - (f) To close or adjourn the debate
 - (g) To refer a matter to a Committee
 - (h) To appoint a Committee or any Members thereof
 - (i) To adopt a report
 - (j) To authorise the sealing of documents
 - (k) To amend a resolution
 - (l) To give leave to withdraw a resolution or an amendment
 - (m) To extend the time limit for speeches
 - (n) To exclude the public
 - (o) To silence or eject from the Meeting a Member named for misconduct
 - (p) To invite a Member having an interest in the subject matter under debate to remain
 - (q) To give the consent of the Council where such consent is required by these Standing Orders
 - (r) To suspend any Standing Order
 - (s) To adjourn the Meeting.

RULES OF DEBATE

24. No discussion shall take place upon Minutes except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chairman.
25. (a) A resolution or amendment shall not be discussed unless it has been proposed and seconded, and, unless proper notice has already been given, it shall, if required by the Chairman, be reduced to writing and handed to him before it is further discussed or put to the Meeting.
- (b) A Member when seconding a resolution or amendment may, if he then declares his intention to do so, reserve his speech until a later period of the debate.
- (c) A Member shall direct his speech to the question under discussion or to a personal explanation or to a question of order.
- (d) No speech by a mover of a resolution shall exceed three minutes, and no other speech shall exceed three 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.
- (f) An amendment shall not have the effect of negating the motion before the Council.
- (g) If an amendment be carried, the resolution, as amended, shall take the place of the original resolution and shall become the resolution upon which any further amendments may be moved.
- (h) A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
- (i) The mover of a resolution or of an amendment shall have a right of reply, not exceeding three minutes.
- (j) A Member, other than the mover of a resolution, shall not, without leave of the Council, speak more than once on any resolution except to move an amendment or further amendment, or on an amendment, or on a point of order, or in personal explanation, or to move a closure.

(k) A Member may rise to make a point of order or a personal explanation. A Member rising for these purposes shall be heard forthwith. A personal explanation shall be confined to some material part of a former speech by him who may have been misunderstood.

(l) A motion or amendment may be withdrawn by the proposer with the consent of the Council, which shall be signified without discussion, and no Member may speak upon it after permission has been asked for its withdrawal unless such permission has been refused.

(m) When a resolution is under debate no other resolution shall be moved except the following:

- (i) To amend the resolution
- (ii) To proceed to the next business
- (iii) To adjourn the debate
- (iv) That the question be now put
- (v) That the Member named be not further heard
- (vi) That a Member named does leave the Meeting
- (vii) That the resolution be referred to a Committee
- (viii) To exclude the public and press
- (ix) To adjourn the Meeting.

26. A Member shall stand when speaking unless permitted by the Chairman to sit on account of infirmity.

27. (a) The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed.

(b) Members shall address the Chairman.

(c) If two or more Members rise, the Chairman shall call upon One of them to speak and the others shall resume their seats.

(d) Whenever the Chairman rises during a debate all other Members shall be seated and silent.

CLOSURE

28. At the end of any speech a Member may, without comment, move “that the question be now put”, “that the debate be now adjourned” or “that the Council do now adjourn”. If such motion is seconded the Chairman shall put the motion but, in the case of a motion “to put the question”, only if he is of the opinion that the question before the Council has been sufficiently debated. If the motion “that the question be now put” is carried, he shall call upon the mover to exercise or waive his right of reply and shall put the question immediately after

the right has been exercised or waived. The adjournment of a debate or of the Council shall not prejudice the mover's right of reply at the resumption.

DISORDERLY CONDUCT

29. (a) No Member shall at a Meeting persistently disregard the ruling of the Chairman, wilfully obstruct business, or behave irregularly, offensively, improperly or in such a manner as to scandalise the Council or bring it into contempt or ridicule.

(b) If, in the opinion of the Chairman, a Member has broken the provisions of paragraph (a) of this Order, the Chairman shall express that opinion to the Council and thereafter any Member may move that the Member named be no longer heard or that the Member named do leave the Meeting, and the motion, if seconded, shall be put forthwith.

(c) If either of the motions mentioned in paragraph (b) is disobeyed, the Chairman may suspend the Meeting or take such further steps as may reasonably be necessary to enforce them.

RIGHT TO REPLY

30. The mover of a resolution shall have a right to reply immediately before the resolution is put to the vote. If an amendment is proposed the mover of the amendment shall be entitled to reply immediately before the amendment is put to the vote. A Member exercising a right to reply shall not introduce new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

ALTERATION OF RESOLUTION

31. A Member may, with the consent of his seconder, move amendments to his own resolution.

RESCISSION OF PREVIOUS RESOLUTION

32. (a) A decision (whether affirmative or negative) of the Council shall not be reversed within six months except either by a special resolution, the written notice whereof bears the names of at least five Members of the Council, or be a resolution moved in pursuance of the report or recommendation of a committee.

(b) When a special resolution or any other resolution moved under the provision of paragraph (a) of this Order has been disposed of, no similar resolution may be moved within a further six months.

VOTING ON APPOINTMENTS

33. Where more than two persons have been nominated for any position to be filled by Council and of the votes given there is not an absolute 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 taken, and so on until a majority of votes is given in favour of one person.

DISCUSSIONS AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL

34. If at a Meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service, of any person employed by the Council, it shall not be considered until the Council or Committee (as the case may be) has decided whether or not the public shall be excluded. (See Standing Order No. 58)

RESOLUTIONS ON EXPENDITURE

35. (a) Any resolution which, if carried, would, in the opinion of the Chairman, substantially increase the expenditure upon any service which is under the management of or reduce the revenue at the disposal of any Committee, or which 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 it shall consider whether it desires to report thereon.

(b) Council shall normally consider requests for donations twice yearly. Urgent requests may be taken on receipt on their merit.

EXPENDITURE

36. Orders for payment of money shall be authorised by resolution of the Council and signed by two Members, preferably The Mayor, and one other and the Town Clerk.

SEALING OF DOCUMENTS

37. (a) A document shall not be sealed on behalf of the Council unless its sealing has been authorised by resolution.

(b) The Council's Common Seal shall alone be used for sealing documents. It shall be applied by the proper officer in the presence of two Members who shall sign the document as witnesses.

COMMITTEE AND SUB-COMMITTEES

38. The Council may at the Annual Meeting appoint Standing Committees and may at any other time appoint 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, and
 - (b) may subject to the provisions of Order 31 above, at any time dissolve or alter the Membership of a Committee.
 - (c) the Standing Committees shall be:
 - (1) The Procedures Committee
 - (2) The Finance & Works Committee
 - (3) The Environment & Public Protection Committee
 - (4) The Planning Committee
 - (5) The Town Tourism Committee
39. The Town Mayor shall be a Member of every Committee.
40. Every Committee shall at its first meeting before proceeding to any other business, elect a Chairman and may elect a Vice-Chairman who shall hold office until the next annual Meeting of the Council, and shall settle its programme of meetings for the year.
41. Every Committee may appoint Sub-Committees for purposes to be specified by the Committee.
42. The Chairman and Vice-Chairman of the Committee shall be Members of every Sub-Committee appointed by it unless they signify that they do not wish to serve.
43. Except where ordered by the Council in the case of a Committee, or by the Council or by the appropriate Committee in the case of the Sub-Committee, the quorum of a Committee or Sub-Committee shall be the lesser of five or half of its Members (any fraction to be counted as a whole number), but that the Quorum of the Planning Committee shall number three.
- 43A. Should a committee or Sub-Committee not otherwise have a quorum for all or any part of a Meeting, the Committee or Sub-Committee Chairman shall have the power to co-opt any Councillor or Councillors as Members of the Committee or Sub-Committee concerned. Provided that:
- (a) Such co-option shall not last for more than one Meeting.
 - (b) No Councillor bound by Standing Order No. 49 or 51 to declare any prejudicial or personal interest may be co-opted under this Standing Order.

44. The Standing Orders on rules of debate, except those parts relating to standing and to speaking more than once, and the Standing Order on interests of Members in contract and other matters shall apply to Committee and Sub-Committee meetings.

45. ACCOUNTABILITY

The Clerk and all Members have a collective responsibility to ensure that all Council Minutes, accounts and other appropriate documents are published expediently on the Council Web Site for public scrutiny. Additionally, for those members of the public who do not have internet access then arrangements are available by prior appointment for members of the public to come to the Council Offices and inspect or request copies of Council public documents. The Council reserves the right to charge members of the public an administration and copying fee for copy documents.

Looe Town Council is a transparent “Quality Town Council” serving the community of Looe and every member is responsible for maintaining this quality status at all times.

The Environment and Public Protection Committee are responsible for ensuring that the Town Council meet all the requirements of the data protection laws in relation to the Town CCTV system.

All newly appointed Councillors must undertake formal induction training and, as soon as possible, attend a Code of Conduct Training Programme as organised by Cornwall Council or CALC.

Formal membership of Committees should not take place until the Induction training has taken place subject to Council being made up of 15 completely new Councillors when Committees will have to be set up.

46. The Procedures Committee is empowered to:-
- (a) Refer any matter on expenditure to The Finance & Works Committee
 - (b) Make recommendations to Council on Council Policy
 - (c) Make recommendations to Council on new or amended legislation
 - (d) Make recommendation on procedure for Civic occasions.
- 46a. Sub-Committee of the Procedures Committee:
- .1 Quality Town Status whose remit will be:
to work continuously on meeting and maintaining the required criteria for Quality Status.

.2 Standards whose remit will be:

(a) To deal with all disciplinary matters in relation to Councillors, Town Clerk and where appropriate, other employees of Council

(b) This sub-committee will be made up of Chairman of all other Council standing Committees, but not Sub-Committees, and the Mayor.

(c) Concerning Councillors conduct refer such matters, as members consider necessary to Cornwall Councils Standards Committee for further investigation.

(Make any recommendations to Council).

The Finance & Works Committee is empowered to:-

(a) Refer any matter directly to the Environmental Committee

(b) Pass any legal Resolution in respect of expenditure and within its brief, but reserving to the Council:

(1) The setting of the Precept

(2) Any item regarding expenditure of 1.25% of the Annual Precept to a maximum of £2,000.00

(3) Any item regarding expenditure which has not in principle been included in the Annual Budget.

(c) Make any recommendation to Council.

The Environment & Public Protection Committee is empowered to:

(a) Refer any matter directly to the Finance and Works Committee with or without a recommendation

(b) Pass any legal Resolution within its brief which does not involve expenditure

(c) Make any recommendation to Council.

The Planning Committee shall consider all submissions of planning applications in accordance with current regulations, planning protocols and the Caradon Local Plan (with amendments) and submit a recommendation to Cornwall Council Planning office. This recommendation could be:-

(a) Approval – with comments or condition if required

(b) Objection – with reasons

(c) Site visit – with reason

(d) Call in Applications – with reason for Cornwall Committee decision

(e) Make no observation or recommendation – with reasons.

The Town Tourism Committee the remit of which will be:

(a) To advise on all matters affecting or related to tourism and to raise awareness of Looe through the Tourist Information Centre together with the publication of a Looe Guide ensuring sustainable tourism.

(b) To work with other organisations in the interests of Tourism

- (c) To make recommendations to the Finance & Works Committee and Full Council
- (d) To advise Council on all matters relating to tourism.

VOTING IN COMMITTEES

- 47. Members of Committees and Sub-Committees shall vote by show of hands, or, if at least two Members request, by signed ballot.
- 48. Chairman of Committees and Sub-Committees shall, in the case of an equality of votes, have a second or casting vote.

ACCOUNTS & FINANCIAL STATEMENT

49. ACCOUNTING AND AUDIT

- 49.1 All accounting procedures and financial records of the Council shall be determined by the Responsible Financial Officer (RFO) in accordance with the Accounts and Audit Regulations 2003 (amended 2006).
- 49.2 The RFO shall complete the annual financial statements of the Council, including the council's annual return, as soon as practicable after the end of the financial year and shall submit them and report thereon to the Council.
- 49.3 The RFO shall complete the Accounts of the Council contained in the Annual Return (as supplied by the Auditor appointed from time to time by the Audit Commission) and shall submit the Annual Return for approval and authorisation by the Council within the timescales set by the Accounts and Audit Regulations 2003 (amended 2006).
- 49.4 The RFO shall ensure that there is adequate and effective system of internal audit of the Council's accounting, financial and other operations in accordance with proper practices. Any officer or member of the Council shall, if the RFO or Internal Auditor requires, make available such documents of the Council which appear to the RFO or Internal Auditor to be necessary for the purpose of the internal audit and shall supply the RFO or Internal Auditor with such information and explanation as the RFO or Internal Auditor considers necessary for that purpose.
- 49.5 The Internal Auditor shall be appointed by and shall carry out the work required by the council in accordance with proper practices. The Internal Auditor, who shall be competent and independent of the operations of the Council, shall report to Council in writing, or in person, on a regular basis with a minimum of one annual written report in respect of each

financial year. In order to demonstrate objectivity and independence, the internal auditor shall be free from any conflicts of interest and have no involvement in the financial decision making, management or control of the council.

49.6 The RFO shall make arrangements for the opportunity for inspection of the accounts, books, and vouchers and for the display or publication of any Notices and statements of account required by Audit Commission Act 1998 and the Accounts and Audit Regulations 2003 (amended 2006).

49.7 The RFO shall, as soon as practicable, bring to the attention of all Councillors any correspondence or report from the Internal or External Auditor, unless the correspondence is of a purely administrative matter.

49.8 (a) Except as provided in paragraph (b) of this Standing Order or by statute, all accounts for payment and claims upon the Council shall be laid before the Council.

(b) Where it is necessary to make a payment before it has been authorised by Council, such payment shall be certified as to its correctness and urgency by the proper officer. Such payment shall be authorised by the Committee, if any, having charge of the business to which it relates, or by the Town Mayor or Deputy Town Mayor.

(c) All payments ratified under sub-paragraph (b) of this Standing Order shall be separately included in the next schedule of payments laid before the Council.

50. The Clerk shall supply to each Member at the ordinary meeting next after the end of the Financial Year a statement of Income and Expenditure.

ESTIMATES

51. The Council shall at its December Meeting consider proposed estimates for the ensuing financial year prior to submission to the Cornwall Council.

INTERESTS

52. If any Member has any prejudicial interest, within the ambit of the national Code of Conduct in any contract, proposed contract or other matter, he shall, while it is under consideration by the Council, withdraw from the meeting.

53. The Clerk shall recorded in a book to be kept for the purpose, particulars of any notice given by any Member or any Officer of the Council of a prejudicial interest in a

contract, and the book shall be open during reasonable hours of the day for the inspection of any Member.

54. If any Member has a personal interest within the ambit of the National Code of Conduct he shall declare it, but shall not be invited to withdraw from the meeting.
55. If a candidate for any appointment under the Council is to his knowledge related to any Member or the holder of any office under the Council, he and the person to whom he is related shall disclose the relationship in writing to the Clerk. A candidate who fails so to do shall be disqualified for such appointment, and, if appointed, may be dismissed without notice. The Clerk shall report to the Council or to the appropriate Committee any such disclosure. Where relationship to a Member is disclosed Standing Order 51 shall apply. The Clerk shall make known the purport of this Standing Order to every candidate.

CANVASSING OF AND RECOMMENDATIONS BY MEMBERS

56. (a) Canvassing of Members of any Committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make known the purport of this sub-paragraph of this Standing Order to every candidate.

(b) A Member of the Council shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but, nevertheless, a Member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.
57. Standing Orders Nos. 54 and 55 shall apply to tenderers as if the person making the tender were a candidate for an appointment.

INSPECTION OF DOCUMENTS

58. A Member may for the purpose of his duty as such (but not otherwise) inspect any document in possession of the Council or a Committee, and if copies are available shall, on request, be supplied for the like purpose with a copy.
59. All Minutes kept by the Council and by any Committee shall be open for the inspection of any Member of the Council.

UNAUTHORISED ACTIVITIES

60. No Member of the Council or of any Committee or Sub-Committee shall in the name of or on behalf of the Council
- (a) Inspect any lands or premises which the Council has a right or duty to inspect: or
 - (b) issue orders, instructions or directions
- unless authorised to do so by the Council or the relevant Committee or Sub-Committee.

ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

61. The public shall be admitted to all Meetings of the Council and its Committees, which may, however, temporarily exclude the public by resolution.
62. The Clerk shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present.
63. If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that he be removed from the Council Chamber.

CONFIDENTIAL BUSINESS

64. (a) No Member of the Council or of any Committee or Sub-Committee shall disclose to any person not a Member of the Council any business declared to be confidential by the Council, the Committee or the Sub-Committee as the case may be.
- (b) Any Member in breach of the provisions of paragraph (a) of this Standing Order shall be removed from any Committee or Sub-Committee of the Council by the Council.

LIAISON WITH CORNWALL COUNCILLORS

65. A notice of Meetings shall be sent together with an invitation to the Cornwall Councillors' for East & West Looe.
66. At the discretion of the Council, a copy of each letter sent to Cornwall Council shall also be sent to the Cornwall Councillors' for East & West Looe.

PLANNING APPLICATIONS

67. (a) The Clerk shall, as soon as it is received from the Cornwall Council, enter in a book kept for the purpose the following particulars of every planning application notified to the Council:
- (i) the date on which it was received
 - (ii) the name of the applicant
 - (iii) the place to which it relates
 - (iv) a summary of the nature of the application
- (b) The Clerk shall refer every Planning application excepting those referred to in sub para (c) below, within 48 hours of receiving it to the Chairman of the Council, or to the Chairman of any Standing Committee to which the Council has delegated authority for comment on Planning Applications submitted by the Clerk.
- (c) Planning Applications received from Cornwall Council for which powers are delegated to an Officer of that Council may be referred by the Clerk to any two of the following for comment: The Town Mayor, Deputy Town Mayor, the Chairman or Vice Chairman or any other member of the Planning Committee.
- (d) Comments on all Planning Applications shall be submitted by the Clerk to the Planning authority and recorded in the Minutes for ratification by Council.

STANDING ORDERS ON CONTRACTS

68. (a) Where it is intended to enter into a contract exceeding £2,000, but not exceeding £10,000 in value for the supply of goods or materials or for the execution of works, the Clerk shall give at least three weeks public notice of such intention in the same manner as public notice of Meetings of the Council is given.
- Where the value of the intended contract exceeds £10,000 similar notice shall be given in addition in such newspapers circulating in the district as the Council shall direct.
- (b) Notice of contract exceeding £10,000 shall state the general nature of the intended contract and state name and address of the person to whom tenders are to be addressed and the last date by which those tenders should reach that person in the ordinary course of post.
- (c) Tenders shall be opened by the Clerk or other person to whom tenders are required to be addressed on the date specified pursuant to paragraph (b) of this Order and shall be reported by the person who opened them to the Council or, where the

tenders have been sought to a Committee or Sub-Committee to that Committee or Sub-Committee.

(d) Neither the Council nor any Committee, or Sub-Committee is bound to accept the lowest tender.

(e) If no tenders are received or if all the tenders are identical the Council may make such arrangements for procuring the goods or materials or executing the works as it thinks fit.

(f) A notice issued under this Standing Order shall contain a statement of the effect of Standing Orders Nos. 54, 55 and 56.

CODE OF CONDUCT ON COMPLAINTS

69. The Council shall deal with complaints of maladministration allegedly committed by the Council or by any Officer or Member in the manner recommended in accordance with the Standards Committee (England) Regulations 2008, Local Government Act 2000 and Public Involvement Act 2007.

VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

70. Any or every part of the Standing Orders except those printed in bold type may be suspended by resolution in relations to any specific item of business.

71. A resolution permanently to add, vary, or revoke a Standing Order shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

AUTHORITY DELEGATED TO THE CLERK

72. Authority shall be delegated to the Clerk to take action regarding matters regarding urgent attention, provided that:

(a) Prior approval for such action is given by at least two of the following:

- (i) The Town Mayor
- (ii) The Deputy Town Mayor
- (iii) The Chairperson or in Chairperson's absence Vice Chairperson of the relevant Committee.

(b) That the action taken is not considered likely to be contentious, and would receive the support of a substantial majority of the Council.

(c) That such action would not involve the Council in additional expenditure exceeding £1,000.00 which has not been previously authorised.

Any action taken under this Standing Order will be reported to the next Meeting of the Council for approval by resolution.

RESIGNATIONS

73. Resignations shall be submitted in writing and will take immediate effect upon receipt in accordance with the Local Government Act 1972 Section 84.
74. A copy of these Standing Orders shall be given to each Member by the Clerk upon delivery to him of the Member's declaration of acceptance of office.

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APPENDIX 'A'

APPENDIX TO THE COUNCIL STANDING ORDERS APPROVED AT THE FULL COUNCIL MEETING OF 7TH NOVEMBER 2011

PUBLIC PARTICIPATION AT MEETINGS

It is a legal requirement that Council allows members of the public to attend meetings of the Council, Committees or Sub-Committees.(Public Bodies (Admission to Meetings) Act 1960, Representation of the People Act 1983 s36 & Local Government Act 1972 s100 and s102) This requirement is included on the Agenda of each meeting (Agenda Item No: 3). 20 minutes (maximum five minutes per person) will be allocated as a period of Public Participation, during which any member of the public present may comment on the agenda for that meeting or bring other matters to the attention of the Council.

Whilst a maximum period of 20 minutes is allowed for Public Participation, it does not follow that this entire period has to have expired before the business of Council may commence. If this is the case, it should be noted in the minutes of that meeting the time public participation ended and the time at which the business meeting of the Council commenced. Similarly, if no members of the public are present, it should be noted that there was no public participation and that the business of the Council commenced immediately.

Member of the public may be admitted to all meetings of the Council and take part in the period of Public Participation. However, when meetings of the Council are declared as 'Confidential', it is appropriate for members of the public to withdraw once the Public Participation period has ended. When this is the case, the appropriate agenda should state that members of the public can attend, but will have to leave once the period of Public Participation has ended.

If the maximum period of Public Participation has expired and members of the public still wish to bring matters to the attention of the Council, the Chairman of the meeting shall have discretion to extend the period of Public Participation by a further 5 minutes. If an extended period is not appropriate, members of the public should be asked to submit details of their concerns etc, in writing to the Clerk.



LOOE TOWN COUNCIL

The Guildhall, Fore Street, East Looe, PL13 1AA

Telephone: 01503 262255

APPENDIX TO COUNCIL'S STANDING ORDERS

Media & Publicity Policy

Adopted on 1st June 2011

POLICY

- 1 The Council is accountable to the electorate for its actions and shall therefore be proactive in making all reasonable efforts to make its decisions and policies known.
- 2 The Council shall seek to issue information to news media on a regular basis.
- 3 The Council shall make every effort to respond without delay to requests for information from different news organisations.
- 4 The Council shall issue a news release as soon as practicable after meetings of the Council as and when appropriate.
- 5 All news releases made on behalf of the Town Council will be authorised by the Town Clerk after consultation with the Mayor or Deputy Mayor of the Council or Committee Chair as appropriate

PROTOCOL

- 1 Purpose
 - 1.1 This Protocol is to guide both Councillors and Officers of the Council in their relations with the Press in such a way as to ensure the smooth running of the Council.
 - 1.2 This protocol does not seek to be comprehensive but sets out to provide guidance on how to deal with some issues that may arise when dealing with the Press.

- 1.3 A Councillor must observe the Town Council's Code of Conduct whenever he conducts the business of the Council, conducts the business of the office to which he has been elected or appointed and acts as a representative of the Council.
- 1.4 A Councillor must not disclose information that is of a confidential nature. This includes any discussion with the press of any item which has been discussed under confidential items on the Council's or Committees' agenda.
- 1.5 A Councillor should act with integrity at all times when representing or acting on behalf of Looe Town Council.

2 Dealing with the Press

Responses to the press relating to matters discussed by the Town Council shall be dealt with in the first instance by the Town Clerk. The Town Mayor/Committee Chairs are also authorised to give the views of the Council to the press on any non-confidential subject discussed by Council in liaison with the Town Clerk. Whenever possible any information given to the press shall be given in writing so as not to leave interpretation open to misunderstanding and misreporting. At no time shall the personal views of either members or officers of the Council be given to the press in a way which could be interpreted as a view of the Council as a whole.

When dealing with news media Councillors should –

- 2.1 be informed and certain of all their facts – if a Councillor is uncertain about the facts please refer the query to the Town Clerk ;
- 2.2 ensure that when making comments on behalf of the Town Council they are aware what Council policy is and their comments reflect that policy;
- 2.3 be calm;
- 2.4 ensure that their comments and views will not bring the Council, its Councillors or its staff into disrepute and ensure that comments are neither libellous or slanderous.

3 Issues to be aware of

- 3.1 Councillors should be aware that case law states that the role of councillor overrides the rights to act as an individual. This means that Councillors should be careful about expressing individual views to the press, whether or not they relate to matters of Council business. Councillors also have an obligation to respect Council policy once made, while it may be legitimate for a Councillor to make clear that he or she disagreed with a policy and voted against it (if this took

place in an open session), they should not seek to undermine a decision through the press.

- 3.2 Councillors not used to dealing with the press may be surprised when they see that statements made in all innocence look very different in print than they did when they were spoken. It is advantageous to write out your statement or position beforehand.