



Lanner Parish Council

STANDING ORDERS

2020/21

LANNER PARISH COUNCIL

STANDING ORDERS

ORDINARY MEETINGS OF THE COUNCIL

- 1 Ordinary Meetings will be held on such dates at such times and in such places as the Council may resolve. There will be at least three Ordinary Meetings and an Annual Meeting each year. Unless otherwise specified by the Members all such Meetings will commence at 19.15 hours and shall be terminated at the discretion of the Chairman. Any business not transacted shall stand adjourned to the next Meeting of the Council
- 2 Extraordinary Meetings may be called on the request of at least three Members or one third of the Members (whichever shall be the greater) signified in writing to the Clerk.
3. 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.
4. 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.
5. The Code of Conduct adopted by the Council shall 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 entirety of all meetings and wherever the word "Member" shall appear hereafter it shall be deemed to include any Councillor and any member of the public co-opted as aforesaid.
6. A meeting shall not exceed a period of 4 hours

ANNUAL MEETING

7. 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.
8. 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.
9. The Council's Annual Meeting will normally be held in May each year.
10. In Election Years, the Annual Meeting will be held according to statute.

THE COUNCIL CHAIRMAN AND VICE-CHAIRMAN

11. The Chairman and Vice-Chairman of the Council will be elected each year at the Annual Meeting.

The Chairman and Vice 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.

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.

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.

12. Each will remain in Office until his/her successor is elected.

13. In the absence of the Chairman at a Council Meeting, the Vice-Chairman will take the Chair. If both are absent, a Chairman will be elected from and by the Members who are present and the Member so elected may exercise all the powers and duties of the Chairman in relation to the conduct of the Meeting.

PROPER OFFICER

14. Where a statute, order or regulation confers functions or duties on the Council's Proper Officer, the Clerk shall be deemed to hold that position. This shall include advising the Council on the Code of Conduct and the Council's Standing Orders, and in addition The Proper Officer shall:

At least three clear days before a meeting of the council, a committee and a sub-committee serve on councillors a summons, by email, confirming the time, place and the agenda.

- i. give public notice of the time, place and agenda at least three clear days before a meeting of the council or a meeting of a committee or a sub-committee (provided that the public notice with agenda of an extraordinary meeting of the council convened by councillors is signed by them);
- ii. convene a meeting of full council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;
- iii. receive declarations of acceptance of office
- iv. receive and record notices disclosing interests at meetings
- v. facilitate inspection of the minute book by local government electors;
- vi. sign notices or other documents on behalf of the Council.

- vii. receive and retain copies of byelaws made by other local authorities and certify copies of byelaws made by the Council.
- viii. retain acceptance of office forms from councillors;
- ix. retain a copy of every councillor's register of interests;
- x. assist with responding to 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;
- xi. receive and send general correspondence and notices on behalf of the council except where there is a resolution to the contrary;
- xii. manage the organisation, storage of, access to and destruction of information held by the council in paper and electronic form;
- xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the council in accordance with the council's financial regulations;
- xiv. record every planning application notified to the council and the council's response to the local planning authority in electronic form for such purpose;
- xv. refer a planning application received by the council to the Chairman of Planning and the Chairman of the Council within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting
- xvi. To keep proper records of all Council meetings.
- xvii. manage access to information about the council via the publication scheme;

FINANCIAL OFFICER

- 15. Where a statute, order or regulation confers functions or duties on the Council's Financial Officer, the Clerk shall be deemed to hold that position.

SEALING/SIGNING DOCUMENTS

- 16. (a) No document shall be sealed/signed on behalf of the Council unless its sealing/signing has been authorised by a Resolution of the Council.
- (b) Two Members of the Council may seal, on behalf of the Council, any document required by law to be issued under seal.

QUORUM

17. Three Members, or one third of the total membership, whichever is the greater, will constitute a Quorum at a Council Meeting.
18. When a Quorum is not present at the start of a Meeting, business cannot be transacted but must be deferred until the next Ordinary Meeting of the Council. Alternatively, a Special Meeting may be convened to deal with the deferred Business
19. (a) If a Meeting becomes inquorate because Members have to leave or are unable to participate in the business under discussion, paragraph 12 will prevail.

(b) If a Member shall be debarred in relation to an item of business to be transacted by reason of having declared a pecuniary interest therein and shall in consequence render the Meeting inquorate in respect of such item then such item shall be deferred until the next Ordinary Meeting or to a Special Meeting convened to deal with deferred business

RECORDING OF PROCEEDING

20. A record of Meetings shall be taken by the Clerk who will produce Minutes for confirmation at the next Meeting. Once approved, they will be signed by the Chairman who will initial and date each page.
21. In the absence of the Clerk, the Chairman may keep the record of proceedings or arrange for someone else to do so.
22. A person may not orally report on or comment about a Meeting as it takes place if he is present at the meeting of Council or one of its committees 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.

VOTING

23. Members will vote by a show of hands or, if requested by at least two members, by signed ballot.
24. If, before a vote is taken, any Councillor present so requires, the Clerk shall record the names of Members and the nature of their vote, i.e. for, against or abstaining from the Motion.
25. The Chairman at a Meeting may have an original vote on any Motion put to the vote and, in the case of an equality of votes, may give a casting vote (whether or not he/she gave an original vote).

26. The first business to be transacted at the Annual Meeting of the Council is the election of a Chairman from among the Councillors. If the person presiding at that Meeting at the start has not been re-elected as a Councillor since he/she was made the Chairman, he/she only has a casting vote (in the case of an equality of votes) on the election of the new Chairman. Otherwise he/she has an ordinary vote and a casting vote, in the case of an equality of votes.
27. The Chairman's declaration (after confirmation by the Clerk) as to the result of a vote on any matter shall be conclusive.

VOTING ON APPOINTMENTS

28. Where more than two people have been nominated for any position to be filled by the Council and there is no absolute majority in favour of one person in the votes cast, the name of the person having the least number of votes shall be deleted from the list and a fresh vote taken. This process will continue until the majority of votes are given in favour of one person.

DISCUSSIONS AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL

29. If, at a Meeting, any question arises relating to the appointment, conduct, promotion, dismissal, salary or Conditions of Service of anyone employed by the Council, it will not be debated until the Council or Committee (as appropriate) has decided whether or not the Public should be excluded.

ORDER OF BUSINESS

30. At the Annual Meeting, the first Business will be:
 - Election of the Chairman
 - Election of Vice-Chairman
 - Receiving the Declarations of Acceptance of Office from the Chairman and Vice-Chairman or, if not received, determining when they will be received
 - To consider written requests for dispensation
 - Appoint a Chairman of the Planning Committee
 - To determine areas of responsibility for each councillor (including, but not limited to, financial scrutiny, footpaths, environment, community safety, transport, recreation, health and wellbeing).
 - Appointment of Representatives to External Bodies (including Parochial Charities)
 - To appoint committees and sub-committees
 - To consider the payment of any subscriptions falling to be paid annually
 - To inspect any deeds or trust investments in the custody of Council as required.

31. At every Meeting other than the Annual Meeting, the first Business will be:
- Apologies for absence
 - The appointment of a Chairman if the elected Chairman and Vice-Chairman are absent
 - Declarations by Members of Pecuniary and Non-Pecuniary Interests
 - To consider written requests for dispensation
32. After the first business has been completed (as set out in Order 31 above), the Order of Business at all meetings shall be as follows (unless the Council decides otherwise on the grounds of urgency or other exceptional circumstances (See 34, below):
- Confirmation of the Minutes of the Previous Meeting
 - Matters Arising from the Minutes
 - To deal with matters expressly required by statute to be done
 - To dispose of any business not completed and adjourned from the last Meeting
 - Report from Cornwall Councillor
 - Financial Reports and accounts for payment
 - Reports from Council Representatives on External Bodies
 - Reports from Officers of the Council
 - Other substantive Items of Business as specified on the Notice of the Meeting and/or the Agenda
 - Any Other Business (only to be used for items of information or notification of items for future Meetings)
33. At its last Meeting prior to the four yearly Election of Councillors, the Council shall ensure that all of its business is up-to-date and in a form that will facilitate the transfer to the newly elected Council when it assumes its responsibilities.
34. A motion to vary the Order of Business on the grounds of urgency or other exceptional circumstance may be proposed immediately after "Apologies for Absence" by the Chairman or any other Member and put to the vote without discussion.
35. To facilitate the Drafting and Issue of the Agenda, Items must be notified to the Clerk at least 10 clear days before each Meeting. If an Urgent Matter arises less than 10 days before a Meeting, it must be notified to the Clerk who will consult the Chairman. The Chairman will have the discretion to accept or reject such an additional Item onto the Agenda.

PROGRESS OF BUSINESS

36. Prior to the commencement of Business, parishioners will have a period of time at each Meeting (usually from 19:00 to 19:15 unless extended at the discretion of the Chairman) during which they can raise issues of interest or concern for information only. Outside of the period set aside for public participation, members of the public shall not be allowed to speak or otherwise participate in the business of Council except that the local member for Cornwall Council shall be allowed to speak throughout proceedings but not to vote.

37. Confirmation of the Minutes of the Previous Meeting will deal with matters of accuracy only. Any amendments must be included in the Motion to approve the Minutes. After formal proposal and seconding, approval will be voted upon and once agreed, the Minutes will be signed and dated by the Chairman who will also initial and date all pages and any amendments. Where the Minutes have been circulated to members not later than the day of issue of the summons to attend the meeting, the Minutes may be taken as read.
38. Matters arising from the Minutes will deal only with items of information. Any other matter from the previous meeting requiring action/debate/decision must be a substantive Agenda Item. If it does not appear as so, it must be deferred to a future Meeting.
39. Under "Any Other Business", only items for information or notification of issues for discussion at future Meetings may be considered.

DEBATE

40. No resolution shall be moved unless either the business to which it relates shall be on the Agenda or the mover has given the Clerk not less than seven clear days' notice thereof prior to the Meeting and no resolution or amendment shall be discussed unless it has been proposed and seconded and the terms thereof have been read out loud by the Clerk
41. Members must restrict their contributions to debate to the issue under discussion, or to a point of order, no speech may be excessive in length (and if so may be terminated at the discretion of the Chairman).
42. Members will address their contributions to the Chairman
43. When a formal proposal has been put and seconded, an amendment may be moved
44. An amendment should not have the effect of nullifying the Motion before the Council but should propose either the omission of words, or the omission of words and insertion/addition of others, or the insertion or addition of words
45. An amendment must be disposed of before any further amendment may be proposed
46. If an amendment is carried, the amended resolution will become the proposal to be voted on or further amended
47. A point of order must relate to a matter of procedure not the substance of the matter under discussion and will be ruled upon by the Chairman whose decision shall not be discussed.
48. A member shall be given an opportunity to clarify a point from one of his/her previous speeches that may have been misunderstood
49. The Proposer with the unanimous consent of the Council may withdraw a Motion or Amendment. There will be no further debate on the Motion or Amendment unless the request for its withdrawal is refused.

50. When a Resolution is being debated, no further Resolution can be put except the following:

- To amend the Motion
- To move on to the next Item of Business
- To adjourn the debate
- To ask that the Motion be now put to the vote
- To refer the Motion to a Committee
- To exclude the Public and the Press
- To ask that a specified Member be not heard again on the Motion
- To ask that a specified Member be required to leave the Meeting

If seconded, any further resolution so put shall be voted on immediately without further debate.

51. The Proposer of a Resolution will have the Right to Reply immediately before the Resolution is put to the vote. Similarly, if an Amendment is moved, the Proposer of the Amendment will have the Right to Reply immediately before it is put to the Meeting. A member exercising the Right to Reply shall not introduce new matter. Once the Right of Reply has been exercised or waived, the Vote will be taken without further discussion.

52. A Member who has a non-registerable interest defined under 3.5A of the Council's Code of Conduct, may, by invitation of the Chairman, remain in the room to address the Council to provide any information as they reasonably consider might inform the debate before leaving the room.

RESCISSION OF A PREVIOUS RESOLUTION/DECISION

53. No substantive decision of the Council can be reversed for at least six months from the date of such decision except by a Special Resolution the written notice of which bears the names of no fewer than three Members or by a Resolution moved in pursuance of a report or written recommendation of a committee of the Council.

CONDUCT

54. a. All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the council.
- b. All interests arising from the Code of Conduct adopted by the Council will be recorded in the minutes giving the existence and nature of the interest.
- c. Members shall maintain a Register of Disclosable Pecuniary Interests and must update their register by notifying the Clerk and Monitoring Officer of any change or changes thereto within 28 days of such change or changes.
- d. Members who are Councillors shall undertake training in the Code of Conduct within 6 months of the delivery of their declaration of acceptance of office.

- e. All gifts and hospitality offered to or received by a Member that could be seen by the public as likely to influence the judgment of such Member in any item of business transacted by the Council must be recorded in the Register of Interests maintained by the Proper Officer of the Council.
- f. Members who have declared a Disclosable Pecuniary Interest of Non-Registerable interest in any item of business being transacted at the meeting may submit a written request for a dispensation before the start of the meeting. Consideration of such requests will be a standing item on all agendas of meetings of the Council, its committees and sub committees. This standing order shall apply to all meetings of the Council, its committees and sub-committees.
- g. Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.
- h. Unless he has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the council's code of conduct. He may return to the meeting after it has considered the matter in which he had the interest.
- i. Dispensation requests shall be in writing and submitted to the Proper Officer as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- j. A decision as to whether to grant a dispensation shall be made [by the Proper Officer] OR [by a meeting of the council, or committee or sub-committee for which the dispensation is required] and that decision is final.
- k. A dispensation request shall confirm:
 - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
 - ii. whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
 - iii. the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
 - iv. an explanation as to why the dispensation is sought.
- l. Subject to standing orders 54(d) and (f) above, dispensations requests shall be considered [by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required] OR [at the beginning of the meeting of the council, or committee or a sub-committee for which the dispensation is required].

- m. A dispensation may be granted in accordance with standing order if having regard to all relevant circumstances the following applies:
 - i. without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business or
 - ii. granting the dispensation is in the interests of persons living in the council's area or
 - iii. it is otherwise appropriate to grant a dispensation.

- n. No Member should wilfully obstruct the conduct of Business, persistently disregard the ruling of the Chairman or behave offensively or improperly.

- o. i. If in the opinion of the Chairman, a Member is guilty of misconduct, the Chairman should inform the Council or Committee accordingly.
 - ii. Subsequently, any Member present may propose that the Member named should no longer be heard. If the motion is seconded, it will be put to the vote immediately and without debate.
 - iii. If the Member named still continues in his/her misconduct, the Chairman may:
 - a. Move that the Member named leaves the Meeting – the Motion will be put to the vote immediately and without discussion
 - OR b. Adjourn the Meeting for as long as he/she considers expedient
 - OR c. The Meeting be abandoned, and a new date fixed for the Meeting and the Member be excluded from attending

- p. If, in the view of any Member present, the Chairman at a Meeting contravenes Orders 55 or 56 above, he/she shall inform the Council or Committee accordingly. Subsequently, any Member present may propose that the Chairman should be asked to stand down from that position for the remainder of the Meeting. If the motion is seconded, it will be put to the vote immediately and without debate. The Chair will then be taken by the Vice-Chairman if present. If not present, then a Chairman shall be elected for the remainder of the Meeting from and by the other Members present.

- q. In the event of a General Disturbance, the Chairman may adjourn the Meeting for as long as he/she considers expedient.

ALLEGATIONS OF BREACHES OF THE CODE OF CONDUCT

55. Notification of any complaint shall remain confidential to the Proper Officer of the Council until such time as the matter has been concluded.
56. a) Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chairman of the Council of that fact, who, upon receipt of such notification shall nominate a person to assume the duties of the Proper Officer in respect of the complaint until the matter is resolved.
- b) Where a notification relates to a complaint made by an employee (not being the Proper Officer) the Proper Officer shall ensure that the employee in question does not deal with any aspect of the complaint.
- c) References in standing order 60 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 Member.
- d) The council may:
- i. provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
 - ii. seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;

CONFIDENTIALITY

57. No Member or employee of the Council shall disclose any business ruled confidential by the Council to any person who is not a member of the Council.

COMMITTEES AND SUBCOMMITTEES

58. The Council may establish Committees to carry out aspects of its work on its behalf. Each will operate in accordance with these Standing Orders, as relevant, and with its own Constitution as formally approved by the Council.
59. Members of Committees will be elected each year at the Annual Meeting of the Council (excepting the Planning Committee whose Chairman shall be elected by full Council and on which Committee all elected members are deemed to sit). The Chairman and Vice-Chairman of the Council shall each be ex-officio voting members of each committee.
60. Each Committee (except the Planning Committee) will elect its own Chairman and Vice-Chairman at its first Meeting after the Council's Annual Meeting and they will hold office until the next Annual Meeting of the full Council.
61. In the following circumstances, non-members of a Committee may attend Committee Meetings:

- (i) Any Member unable to attend a Committee Meeting shall be permitted to send a Member colleague as a substitute to that Meeting
 - (ii) A Member who has raised an issue that has been referred to a Committee of which he/she is not a member may explain the issue to the Committee but may not vote
 - (iii) Any Member may be present as a spectator at a meeting of any Committee of which he/she is not a member unless the Council resolves otherwise
62. The Council may appoint persons other than a Member to any committee with the exception of the Planning Committee.
63. The Council may appoint Advisory Committees who may consist wholly of persons who are not Members.

FINANCIAL MATTERS

Financial controls and procurement

64. The council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
- i. the keeping of accounting records and systems of internal controls;
 - ii. the assessment and management of financial risks faced by the council;
 - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
 - iv. the inspection and copying by councillors and local electors of the council's accounts and/or orders of payments; and
 - v. procurement policies including the setting of values for different procedures where a contract has an estimated value of less than [£3 500].
 - vi. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
 - vii. Proper practices" in standing orders refer to the most recent version of [Governance and Accountability for Local Councils – a Practitioners' Guide (England)]
 - viii. All payments by the council shall be authorised, approved and paid in accordance with the law, proper practices and the council's financial regulations.

65. The Responsible Financial Officer shall supply to each councillor at each meeting a statement to summarise:
- i. the council's receipts and payments for each month;
 - ii. the council's aggregate receipts and payments for the year to date;
 - iii. the balances held at the end of the quarter being reported
- and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
66. All payments must be authorised by the Council, normally prior to being made. However, where it proves necessary to make a payment prior to authorisation, it shall be reported to the next Meeting of the Council for confirmation.
67. When a Member is asked to undertake a task on the Council's behalf that involves any form of payment, then the following steps must be followed: -
- (i) The estimated cost must be calculated and submitted to the Council as part of the proposal for the activity/action under consideration.
 - (ii) The Member(s) involved in the proposal shall take no part in the subsequent vote but may contribute information and explanation to the Council's discussions on the matter;
 - (iii) In considering approval of the proposal, the Member's offer of input/involvement and the estimated costs/fee, the Council must be assured that the sums quoted compare favourably with other possible providers and also give value for money;
 - (iv) The Council shall ensure that any decision that it reaches on a Member's involvement in a task/activity involving any form of payment undertaken on the Council's behalf shall not be in conflict with its Code of Conduct particularly where it refers to the Declaration of Members' Interests.
68. Where it is intended to enter into a Contract to the value of £3,500 or more per annum, details of the Contract will be advertised in appropriate publications and/or by other legally acceptable means, and tenders/quotations invited. The Tenders/Quotations will be considered by the Council following proper legal advice from the Clerk or by a specially constituted Subcommittee of the Council.
69. All accounts for payment and claims upon the Council shall be laid before the Council.
70. No expenditure may be incurred which cannot be met from the amount provided therefore in the Budget unless a virement has been approved by the Council and no payment or commitment to payment of any sum shall be effected by any committee or sub-committee of Council.

71. The Responsible Financial Officer shall supply to each Member as soon as practicable after 31 March in each year a statement of the receipts and payments of the Council for the completed financial year. A Financial Statement based on the appropriate accounting basis shall be presented to council as soon as practicable thereafter. The Statement of Accounts for the Council (which is subject to external audit) shall then be presented to Council for formal approval before the end of the month of September
72. Council shall approve written estimates of its income and expenditure for the forthcoming year at such time as may be required by the principal Authority (Cornwall Council) for determining rate precept, but in any event no later than the end of January.
73. Subject to a limit of £250 per event (or such other sum as may from time to time be resolved by the Council) the Clerk may commit expenditure on behalf of the Council where the same is essential in order to carry out any repair replacement or other work (whether or not there is any budgetary provision therefore) where failure so to do would be likely to cause further or more long-term damage the Clerk reporting the same as soon as reasonably practicable to the Chairman
74. No expenditure shall be incurred in relation to any capital project and no contract entered into or tender accepted involving expenditure on capital account unless the Council is satisfied that the same is within the rolling capital programme and that necessary capital funds are available or the requisite borrowing approval can be obtained.
75. Subject to additional requirements in the financial regulations of the council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
- i. a specification for the goods, materials, services or the execution of works shall be drawn up;
 - ii. an invitation to tender shall be drawn up to confirm (i) the council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
 - iii. the invitation to tender shall be advertised within the Council Website, Notice Boards and in any other manner that is appropriate;
 - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;

- v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;
 - vi. tenders are to be reported to and considered by the appropriate meeting of the council or a committee or sub-committee with delegated responsibility.
76. Neither the council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.

CANDIDATES FOR APPOINTMENT BY THE COUNCIL

77. All decisions relating to the employment of Staff will be taken in accordance with appropriate employment legislation.
78. Vacancies will be open to Applicants irrespective of disability, ethnic origin, marital status, race, religion, sex, or sexual orientation. Appointments will be made on the basis of candidates' ability to perform the post on offer. A Selection Panel for the Post of Clerk shall comprise of the Chairman, Vice-Chairman and one other Member.
79. Any Person applying for employment by the Council must declare in writing any relationship he/she has to any Member, former Member or existing employee of the Council. Applicants must be advised of this requirement and, if they fail to make appropriate disclosures, they will be disqualified from application or, if the relationship is not established until after their appointment, may be dismissed without notice.
80. Any Person applying for employment by the Council must be advised that canvassing of any Member, directly or indirectly, will disqualify him/her from appointment.
81. No Member shall canvass for the appointment of any Applicant for a post with the Council.

ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

82. The Public and the Press shall be admitted to all Meetings of the Council and its Committees. However, they may be temporarily excluded by means of the following Resolution:
- "That, in accordance with the provisions of the Public Bodies (Admissions to Meetings) Act 1960 (as amended) due to the special/confidential nature of the business it is in the public interest that the Public and the Press be excluded from the Meeting during discussion of the remaining item(s)".
83. Photographing, recording, broadcasting or transmitting the proceedings of a meeting by any means is not permitted without the Council's prior written consent.

84. The Clerk will notify the local Press of all Meetings of the Council and its Committees.
85. If any member of the public interrupts the proceedings at any Meeting, the Chairman may, after due warning, order that he/she be removed from the Meeting Room.

DELEGATED POWERS

89. The Council delegates executive powers as follows: -
- (a) the Planning Committee shall carry out the functions of the Council in respect of the matters set out in Annex 1 below
 - (b) (if appropriate) the day to day management of the business of the Council shall be the responsibility of the officers working under the supervision of the Clerk exercising the powers set out in Annex 2 to be appended below (should the occasion arise) and
 - (c) to the Clerk in respect of such matters as shall require a decision before the next ordinary Meeting subject to prior approval of the Chairman or the Vice-Chairman

ACCESS TO DOCUMENTATION

90. A Member may inspect any document in possession of the Council or Committee and, if copies are reasonably available, shall on request be supplied with a copy.
91. A copy of the Agenda and relevant available documents shall be provided to each Member at least 3 clear days before each Meeting of the Council.
92. The Clerk will provide each Member with a copy of the Minutes of every Meeting of the Council and of its Committees.

REPRESENTATION OF THE COUNCIL

93. No Member 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 so to do by the Council or by its relevant Committee or sub-Committee
94. Members and Officers of the Council will at all times ensure that they conduct themselves and carry out their duties in a way that protects the interests and reputation of the Council
95. Where they have concerns about the conduct of the council's business or actions taken on its behalf, Members or Officers should raise these initially with the Chairman or the Clerk as the Council's Responsible Officer. If it is then felt that the concerns have not been properly or adequately dealt with, the Member or Officer should employ the Council's Complaint Procedure to process it further
96. Documents shall only be issued under the Council's name when the Council has formally approved them or, where appropriate to their Terms of Reference, they have been approved by one of its Committees or Subcommittees. The Clerk, as the Council's designated Responsible Officer, also has authority to undertake correspondence on the Council's behalf as part of and within his/her normal duties.

97. The role of a Member appointed, as the Council's Representative on an External Body is to attend that Body's Meetings and report back to the Council on issues raised and discussions held. Where a proposal or decision of the Body will commit the Council to action or to financial expenditure, the Representative will have no authority to so commit the Council but will raise the matter as an Agenda item at the Council's next Meeting for formal debate and decision that he/she will then convey back to the Body.

LIAISON WITH PRINCIPAL AUTHORITY COUNCILLOR(S)

98. Notice of each Meeting and copies of minutes of each meeting will be available to the Councillor(s) for the Division of Cornwall Council via the Council website. www.lanner.org.uk

VACANCIES ON THE COUNCIL

99. Local Councillors are elected for a term of 4 years, retiring on the 4th day after the date of the normal elections held every four years. At this point, all Members shall stand down but those wishing to do so may seek nomination for re-election in accordance with the proper statutory procedure.
100. Conditions governing the Qualification and Disqualification for Local Councillors is set down in the Local Government Act 1972, Sections 79 to 82,95 and 104, and in Part III of the Local Government Act 2000. It is the responsibility of each Member to ensure that he/she meets and continues to meet these requirements.
101. A Casual Vacancy on the Council may result from the death, disqualification or resignation of a Member. Disqualification from Office may result from failure to comply with relevant legislation or as a result of legal proceedings or from failure to attend meetings of the Council for a period of six consecutive months from the date of his/her last attendance unless his/her absence has been approved by the Council for some reason. Whatever the reason for the cessation of a Member's Membership, the Council shall forthwith declare his/her office to be vacant by resolution at the first available Meeting.
102. The proper procedure as set out in statute shall be followed in advertising and filling a Casual Vacancy.

VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

103. Temporary suspension of any of these Standing Orders in relation to any specific Item of Business at a Meeting is possible by resolution of the Council or Committee (as appropriate) in relation to that Meeting and that item only.
104. A motion to vary or revoke a Standing Order permanently, after being proposed and seconded, shall not be voted on and shall stand adjourned without discussion to the next Ordinary Meeting of the full Council, and shall therefore become an agenda item, and the Public informed in the normal way.

Staff matters

105.

- a. A matter personal to a member of staff that is being considered by a meeting of council is subject to standing order 57 above.
- b. Subject to the council's policy regarding absences from work, the council's most senior member of staff shall notify the chairman of the council or, if he is not available, the vice-chairman of the council of absence occasioned by illness or other reason and that person shall report such absence to Council at its next meeting.
- c. The chairman of the or in his absence, the vice-chairman shall upon a resolution conduct a review of the performance and annual appraisal of the work of the Clerk. The reviews and appraisal shall be reported in writing and is subject to approval by resolution by Council.
- d. Subject to the council's policy regarding the handling of grievance matters, the council's most senior employee (or other employees) shall contact the chairman or in his absence, the vice-chairman of in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of Council.
- e. Subject to the council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the Clerk relates to the chairman or vice-chairman of the council, this shall be communicated to another member of council which shall be reported back and progressed by resolution of the council.
- f. Any persons responsible for all or part of the management of staff shall treat the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters as confidential and secure.
- g. The council shall keep all written records relating to employees secure. All paper records shall be secured and locked and electronic records shall be password protected and encrypted.
- h. Only persons with line management responsibilities shall have access to staff records referred to in standing orders (f) and (g) above if so justified.
- i. Access and means of access by keys and/or computer passwords to records of employment referred to in standing orders (f) and (g) above shall be provided only to Clerk and/or the Chairman of the Council

Standing orders generally

106.

- a All or part of a standing order, except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b A motion to add to or vary or revoke one or more of the council's standing orders, except one that incorporates mandatory statutory requirements, shall be proposed by a special motion, the written notice by at least 3 councillors to be given to the Proper Officer in accordance with standing order.
- c 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.
- d The decision of the chairman of a meeting as to the application of standing orders at the meeting shall be final.

Annex 1

Delegated powers of the Planning Committee

1. Consideration of and the making of representations and comments in respect of all planning applications, certificates of lawfulness, conservation area consents, building and tree preservation notices and orders presented to the Council by the Principal Authority for consultation
2. Consideration of and comment on all other consultation documents relating to planning matters including attending meetings in respect thereof
3. Attending at meetings of the planning committee of the Principal Authority and providing comments or statements on behalf of the Council
4. Attending site inspection panel meetings and making comment and making comment on behalf of the Council as may be called for by the planning authority
5. Attending and making comment either written or verbal on behalf of the Council at any planning appeal or public inquiry
6. Consideration of any alleged unauthorised development or breach of planning control and if the Committee deems expedient referral of the same to the Principal Authority and subsequent monitoring

These Standing Orders were adopted by the Council at its Meeting held on the 31st day of May Two thousand and nineteen under Resolution No PC19/90

