



CWMLLYNFELL COMMUNITY COUNCIL

STANDING ORDERS

Revised 2017

CYNGOR CYMUNED CWMLLYNFELL COMMUNITY COUNCIL

STANDING ORDERS

MEETINGS

1. Meetings of the Council shall be held at such venues and on such dates and times as shall be determined by the Council.
2. The Annual Meeting of the Council shall be held in a year which is a year of ordinary elections of community councillors on, or within fourteen days after, the day on which the Councillors elected at that election take office, and in any other year the Annual Meeting shall be held on such day in May as the Council may determine.
3. An Extraordinary Meeting of the Council may be called at any time by the Chairman of the Council.
4. If the Chairman refuses to call an Extraordinary Meeting of the Council after a requisition for that purpose, signed four members of the Council, has been presented to him/her, or if, without so refusing, the Chairman does not call an Extraordinary Meeting within seven days after the requisition has been presented to him, then any four members of the Council, on that refusal or on the expiration of those seven days, as the case may be, may forthwith call an Extraordinary Meeting of the Council.

CHAIRMAN OF THE 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.

PROPER OFFICER

6. 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 of the Council –
 - (a) To receive declarations of acceptance of office.
 - (b) To receive and record notices disclosing personal 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 a County Borough Council.
 - (f) To certify copies of byelaws made by the Council.
 - (g) To sign summonses to attend meetings of the Council.
 - (h) To provide a minute book for recording the proceedings of community meetings.

In any other case the proper officer shall be the person nominated by the Council and, in default of nomination, the Clerk of the Council.

QUORUM

7. Four 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 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 determine.

VOTING

9. Members shall vote 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, against or abstained.
11. The Chairman may 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/she gave no original vote.

ORDER OF BUSINESS

12. At each Annual Meeting of the Council the first business shall be –
 - (a) To elect a Chairman.
 - (b) To receive the Chairman'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 declarations of acceptance of office which have not been received as provided by law shall be received.
 - (e) To elect a Vice-Chairman.
 - (f) To determine the day, hour and venue for meetings of the Council during the ensuing Municipal Year.
 - (g) To appoint Committees.
 - (h) To appoint representatives on Outside Bodies.
13. At every meeting other than the Annual Meeting the first business shall be to appoint a Chairman if the Chairman and Vice-Chairman of the Council be absent.
14. 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 apologies for absence.
 - (b) To receive declarations of personal interest.
 - (c) To consider and approve for signature as a correct record (subject to any amendment passed by the Council) the Minutes of the previous meeting(s).
 - (d) To receive and consider Reports and Minutes of Committees
 - (e) To deal with any matters arising from the Minutes.
 - (f) To deal with business expressly required by statute to be done.
 - (g) To dispose of business, if any, remaining from the last meeting.
 - (h) Other business specified in the summons.
 - (i) At the discretion of the Chairman, to deal with other urgent business not specified in the summons, provided that it relates to an exchange of information and has previously been notified to the Chairman, provided that such business does not involve any financial commitment on the part of the Council.
15. The Council shall review the pay and conditions of service of existing employees on an annual basis, at an appropriate time.

RESOLUTIONS MOVED ON NOTICE

16. Except as provided by these Standing Orders, no resolution may be moved unless the business to which it relates appears on the Agenda, or the mover has given notice in writing of its terms, and has delivered the notice to the Clerk at least seven clear days before the next meeting of Council.
17. 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.
18. 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/she considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.
19. Every resolution or recommendation shall be relevant to some subject over which the Council has power or which affects its area.

RESOLUTIONS MOVED WITHOUT NOTICE

20. 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 amend a motion.
 - (k) To give leave to withdraw a resolution or an amendment.
 - (l) To adjourn the meeting.

RULES OF DEBATE

21. No discussion shall take place upon the Minutes except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chairman.
22. A motion or amendment shall not be discussed unless it has been proposed and seconded.
 - (a) 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.
 - (b) An amendment shall not be a direct negative of the motion before the Council.
 - (c) If an amendment be carried, the motion, as amended, shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.
 - (d) A further amendment shall not be moved until the Council has disposed of every amendment previously moved.

- (e) 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.
- (f) When a motion is under debate no other motion shall be moved except the following –
 - (i) To amend the motion.
 - (ii) To proceed to the next business.
 - (iii) To adjourn the debate.
 - (iv) That the question be now put.
 - (v) That the resolution be referred to a Committee.
 - (vi) To exclude the public and press.
 - (vii) To adjourn the meeting.

23. (a) Members shall address the Chairman.

(b) Members wishing to speak shall indicate so by raising a hand, and the Chairman shall determine the order of speakers.

DISORDERLY CONDUCT

24. (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 and without discussion.

(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 OF REPLY

25. The mover of a motion or amendment shall have a right to reply immediately before the motion or amendment is put to the vote. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

ALTERATION OF RESOLUTION

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

RESCISSION OF PREVIOUS RESOLUTION

27. (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 four Members of the Council or by a resolution moved in pursuance of a report brought before the Council or upon recommendation of a Committee.

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

VOTING ON APPOINTMENTS

28. Where more than two persons have been nominated for any position to be filled by the 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

29. 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 and press shall be excluded.

COMMITTEES AND SUB-COMMITTEES

30. The Council may at its Annual Meeting appoint Committees and may at any other time appoint such other Committees as are necessary, but subject to any statutory provision in that behalf-
- (a) shall not appoint any Member of a Committee so as to hold office later than the next Annual Meeting,
 - (b) may appoint persons other than Members of the Council to any Committee; and
 - (c) may subject to the provisions of Order 27 above or at any time dissolve or alter the Membership of a Committee.
 - (d) The quorum of a Committee or Sub-Committee shall be one-third of its Members, or three Members, whichever is the greater.
31. The Standing Orders and Financial Regulations of Council shall apply to Committees and Sub-Committees wherever appropriate.

VOTING IN COMMITTEES

32. Members of Committees and Sub-Committees entitled to vote shall vote by show of hands.
33. The Chairman of a Committee or Sub-Committee shall, in the case of an equality of votes, have a second or casting vote.

PRESENCE OF NON-MEMBERS OF COMMITTEES AT COMMITTEE MEETINGS

34. A Member who has proposed a motion which has been referred to any Committee of which he or she is not a Member, may attend the meeting of the Committee to speak on the motion but may not vote.

INTERESTS

35. If any Member has an interest, as defined in the Code of Conduct he/she shall, while it is under consideration by the Council, fulfil the requirements of the Code of Conduct in relation thereto unless a dispensation has been granted by the Standards Committee of the County Borough Council.

36. The Clerk shall record in a book to be kept for the purpose, particulars of any notice given by any Member or any Officer of the Council of an interest as defined in the Code of Conduct and the book shall be open during reasonable hours of the day for the inspection of any Member.
37. If a candidate for any appointment under the Council is to his/her knowledge related to any Member or the holder of any office under the Council, he/she and the person to whom he/she 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 the appropriate Committee any such disclosure. Where such relationship to a Member is disclosed, Standing Order 35 shall apply. The Clerk shall make known the purport of this Standing Order to every candidate.

CANVASSING OF AND RECOMMENDATIONS BY MEMBERS

38. Canvassing of Members of the Council or 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.
39. Standing Orders Nos. 37 and 38 shall apply for tenders as if the person making the tender were a candidate for an appointment.

INSPECTION OF DOCUMENTS

40. A Member may for the purpose of his/her 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.
41. All Minutes kept by the Council and by any Committee shall be open for the inspection of any Member of the Council.

UNAUTHORISED ACTIVITIES

42. 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

43. The public and press shall be admitted to all meetings of the Council and its Committees and Sub-Committees. A resolution may however be passed to exclude the public and press from a meeting (whether during the whole or part of the proceedings) whenever publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons stated in the resolution and arising from the nature of that business or of the proceedings; and where such a resolution is passed the meeting shall not require to be open to the public and press during proceedings to which the resolution applies.

44. The press shall be afforded reasonable facilities for taking their report of any proceedings at which they are entitled to be present.
45. If a Member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that he/she be removed from the Council Chamber.

CONFIDENTIAL BUSINESS

46. (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 of the Council by the Council.

LIAISON WITH COUNTY BOROUGH COUNCILLORS

47. Unless the Council decides otherwise, the County Borough Councillor(s) representing the Electoral Division(s) affecting the Community shall be invited to attend meetings of the Council and shall be invited to participate but not vote in the business referred to in Standing order 14(i) or such other business as may be deemed appropriate at the discretion of the Chairman. This standing order would not apply in the case of the County Borough Councillor having also been elected as a Community Councillor when he/she will have the same rights and responsibilities as other Community Councillors.

YOUTH REPRESENTATIVES

48. The Council may appoint no more than two individuals to act at any one time as community youth representatives in accordance with the terms of the Local Government (Wales) Measure 2011.

CODE OF CONDUCT ON COMPLAINTS

49. Any complaint relating to breaches of the Code of Conduct by the Council or any Member or Officer shall be reported to the Public Ombudsman for Wales and the Monitoring Officer of the County Borough Council.

REVISION AND CIRCULATION OF STANDING ORDERS

50. It shall be the duty of the Council to review the Standing Orders of the Council from time to time.
51. A copy of these Standing Orders shall be given to each Member by the Clerk upon delivery to him/her of the Member's declaration of acceptance of office.