

REDRUTH TOWN COUNCIL

STANDING ORDERS

11.5.26

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MEETINGS

Meetings of the Council shall be held in the Langman Room, Redruth Civic Centre, Alma Place, Redruth, at 7:00pm unless the Council otherwise decides. Meetings shall not exceed a period of 2 hours. Any outstanding business of a meeting so adjourned shall be transacted at a following meeting.

Meetings of all working parties/consultation groups are not bound by these rules and shall meet at mutually convenient times.

In extreme circumstances (such as hazardous weather conditions) the Mayor; Deputy Mayor or Chair of a Committee may postpone a meeting, following agreement with the Town Clerk or Deputy. In such circumstances every effort must be made to inform those expected to be present.

a **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.**

b **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.**

c **The minimum three clear days' public notice for a meeting does not include the day on which the notice was issued or the day of the meeting unless the meeting is convened at shorter notice.**

d **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**

The Code of Conduct adopted by the Council shall apply to Councillors and members of the public co-opted to serve on Committees and Sub Committees of the Council in respect of the entire meeting.

A Councillor or a non-Councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on their right to participate and vote on that matter.

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.

No business may be transacted at a meeting unless at least one third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than 5, and in the case of the Standing Committees 4. If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be adjourned.

URGENT BUSINESS

Where no meeting of the Council or a relevant Committee is scheduled within the necessary timescale to enable a decision concerning an urgent matter to be taken, the Town Clerk (or Deputy

Town Clerk) may, in consultation with the Mayor and Deputy Mayor (or Chair and Vice-Chair, in the case of a Committee) determine that matter. All decisions taken under this Standing Order shall be reported to the next meeting of the Council or the relevant Committee for information, together with the reasons for urgency which required a decision to be taken.

USEFUL INFORMATION FOR THE PUBLIC ABOUT MEETINGS

The Town Council warmly welcomes members of the public to its meetings and at each of these meetings, 15 minutes is devoted to the public to raise any matters about Town Council business, with a time limit of three minutes per person to enable everyone to have a chance to speak if they so wish. If the Chair feels more time is needed for this session, this is at their discretion.

The public shall be warmly welcomed to all meetings of the Council and its committees and sub-committees, which may, however, temporarily exclude the public[1] by means of the following resolution:

'To exclude the press and public from the meeting for the remaining item of business on the grounds that it involves the likely disclosure of exempt information as defined in [Section No][2] Part 1 of Schedule 12[A] of the 1972 Local Government Act'.

The Chair will endeavour to ensure that members of the public receive a response to their question(s) but in some cases, a matter may need more investigation or to be referred to another Committee for action/exploration.

The Council will not tolerate disruptive behaviour and the Chair will take steps to ensure this does not occur, and if it does, will ask the person causing the issue to politely leave the meeting.

FILMING AND RECORDING MEETINGS

When a meeting of the Council, its committees or sub committees is open to the public, any person, if present, may:

Subject to standing orders, a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To "report" means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.

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

The press shall be provided with reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.

The Openness of Local Government Regulations 2014 states that "members of the public may record our public meetings. The recording may take the form of photography, filming and audio recording. There is no right to record proceedings at meetings which members of the public are excluded. It is also permissible for a person to tweet or blog meetings via social media. Persons attending the meeting should be advised that the proceedings are being recorded." The Town Council will

ask those present at meetings to declare if they plan to record the meeting(s) at the beginning of each meeting and confirm if it is a visual or audio recording.

- An individual must be present and able to use their equipment in order to film, photograph or audio record a meeting. There will be no opportunity to report on any part of the meeting where the council has resolved to exclude the press and public.
- No filming, photographing or audio recording of a meeting should be carried out in such a way as to disrupt the proceedings of the meeting.
- Members of the Council recording meetings are reminded of their obligations under the Council's Code of Conduct in respect of confidential matters.

HOW THE MEETINGS ARE RUN AND HOW DECISIONS ARE TAKEN

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

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

Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the councillors and non-councillors with voting rights present and voting.

The chair of a meeting may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise their casting vote whether or not they gave an original vote.

Unless standing orders provide otherwise, voting on a question shall be by a show of hands. At the request of a councillor, the voting on any question shall be recorded so as to show whether each councillor present and voting gave their vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.

e The minutes of a meeting shall include an accurate record of the following:

i. the time and place of the meeting;

ii. the names of councillors who are present and the names of councillors who are absent;

iii. interests that have been declared by councillors and non-councillors with

voting rights;

iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;

v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;

vi. if there was a public participation session; and

vii. the resolutions made.

A councillor or a non-councillor with voting rights who has a disclosable pecuniary interest or another interest as set out in the Council's code of conduct in a matter being considered at a meeting is subject to statutory limitations or restrictions under the code on their right to participate and vote on that matter.

No business may be transacted at a meeting unless at least one-third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than three.

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

Minutes of Meetings

The minutes of a meeting shall include an accurate record of the following:
the time and place of the meeting;

the names of Councillors present and absent;
interests that have been declared by Councillors and non-Councillors with voting rights;
whether a Councillor or non-Councillor with voting rights left the meeting when matters that they held interests in were being considered if there was a public participation session; and the resolutions made.

Draft Minutes of Meetings

Draft Minutes will be circulated to Councillors no later than 2 weeks after the respective meeting and any amendments or corrections must be sent to the Town Clerk in writing within 3 clear days before the papers for the next meeting of the same meeting takes place.

TYPES OF COUNCIL MEETINGS

ORDINARY COUNCIL MEETINGS

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

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

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

In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council decides.

The first business conducted at the annual meeting of the Council shall be the election of the Chair and Vice-Chair (if there is one) of the Council.

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

The Vice-Chair of the Council, if there is one, unless they resign or become disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.

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

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

The Mayor shall not hold office for more than two consecutive years. Nominees for the role of Mayor will be able to make a short presentation about their skills/suitability of no more than two minutes.

Following the election of the Town Mayor and Deputy Town Mayor at the Annual Meeting of the Council, the order of business shall be as follows:-

- **In an election year, delivery by the Chair of the Council and Councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chair of the Council of their acceptance of office form unless the Council resolves for this to be done at a later date;**
- Review of delegation arrangements to committees, sub-committees, employees and other local authorities.

- Review of the terms of references for committees, including the names of these Standing Committees.
- Receipt of nominations of Chairs and Vice-Chairs to existing committees, with nominations being selected at the respective Committee(s) at their first subsequent meeting(s).
- Appointment of any new Committees, the name of the Committee, Chairs and Vice Chairs, confirmation of the terms of reference, the number of members (including, if appropriate, substitute Councillors).
- To appoint members to represent the Council on all outside organisations.
- To receive reports from Members representing the Council on outside organisations.
- Review of representation on or work with external bodies and arrangements for reporting back.
- To review the Members' Register of Interests for all Members present.
- Review and adoption of Standing Orders and Financial Regulations.
- In a year of elections, if a Council's period of eligibility to exercise the power of general competence expires the day before the annual meeting, to review and make arrangements to reaffirm eligibility.
- To appoint six Members to act as signatories on Council cheques and other financial documents.

VOTING ON APPOINTMENTS

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

EXTRAORDINARY MEETINGS

The Chair of the Council may convene an Extraordinary meeting of the Council at any time.

If the Chair of the Council does not call an Extraordinary meeting of the Council within seven days of having been requested in writing to do so by two Councillors, any two Councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two Councillors.

The Chair of a committee (or a sub-committee) may convene an extraordinary meeting of the committee (or sub-committee) at any time.

If the Chair of a committee (or sub-committee) does not or refuses to call an extraordinary meeting of the committee within seven days of having been requested to do so by two Councillors, those two Councillors may convene an extraordinary meeting of the committee (or sub- committee). The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two Councillors.

COMMITTEES

At the Annual Meeting, standing committees will be appointed and may at any other time appoint such other committees as are necessary. Committees may appoint persons other than members of the Council to any Committee; and may in accordance with Standing Orders, dissolve or alter the membership of a committee at any time, including the request of a Member to join a committee for which they did not stand at the Annual Meeting. Each committee will have written Terms of Reference.

Minutes for each committee meeting will be produced and circulated prior to the next meeting of the Full Council, where the Council will receive them. Members will then have the opportunity to request that the Chair of that committee takes any matter back for further discussion in the light of new/additional information, however, the decision of whether to take back or not, rests solely with the Chair of that committee. The minutes are then taken back to the next appropriate committee meeting for approval as a true and accurate record.

Any committee meeting that is not held due to it being inquorate must be called again by the Chair within 14 working days.

The Town Mayor and Deputy Town Mayor ex officio shall be members of every committee and have the right to vote on all matters relating to that committee. The following committees shall be the Standing Committees of the Town Council and shall consist of a minimum of 8 members including the Town Mayor and Deputy Town Mayor:

- Asset Management Committee;
- Community Committee;
- Planning Committee;
- Finance Committee (+plus Chairs of Community, Asset Management,, Planning,Staffing + min 2 Members)
- Staffing Committee (+ Chairs of Community, Asset Management, Planning + min 3 Members)

The Chair of a Committee or the Town Mayor may summon an additional meeting of that committee at any time. An additional meeting shall also be summoned on the requisition in writing of not less than a quarter of the members of the committee. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.

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 a sub-committee, the quorum of a committee shall be four members and the case of a sub-committee shall be one-half of its members.

Chairs of committees and sub-committees shall in the case of an equality of votes have a second or casting vote.

A member who has proposed a resolution, which has been referred to any committee of which he/she is not a member, may explain his/her resolution to the committee but shall not vote.

Any Council member shall, unless the Council otherwise orders, be entitled to attend and debate at the meetings of any committee or sub-committee of which he/she is not a member but not vote.

SUB-COMMITTEES

Every committee may appoint a sub-committee whose Terms of Reference and membership shall be determined by resolution of the committee. The Chair and Vice-Chair of the committee shall be members of every sub-committee appointed by it unless they signify that they do not wish to serve.

WORKING PARTIES

The Council may appoint Working Parties comprised of Councillors and non-Councillors.
Full Council or the Committee creating the Working Party must agree specific Terms of Reference.

Working Parties may consist wholly of persons who are non-Councillors.

CANVASSING OF AND RECOMMENDATIONS BY COUNCILLORS

Canvassing Councillors or the members of a committee or sub-committee, directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such an appointment. The Proper Officer shall disclose the requirements of the Standing Order to every candidate.
A Councillor or member of a committee or sub-committee shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for promotion; but, nevertheless, any such person may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.

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

MOTIONS FOR A MEETING THAT REQUIRE WRITTEN NOTICE TO BE GIVEN TO THE PROPER OFFICER

A motion shall relate to the responsibilities of the meeting which it is tabled for and in any event shall relate to the performance of the council's statutory functions, powers and obligations or an issue which specifically affects the council's area or its residents.

No motion may be moved at a meeting unless it is on the agenda and the mover has given written notice of its wording to the Proper Officer at least 4 clear days before the meeting.

The Proper Officer may amend or correct the wording of a motion before including it in the agenda.

The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final. A written notice of motion shall not relate to any matter which may be considered under the Council's Code of Conduct, Complaints Procedure or employment policies.

MOTIONS AT A MEETING THAT DO NOT REQUIRE WRITTEN NOTICE

Motions in respect of the following matters may be moved without written notice to the Proper Officer;

- to correct an inaccuracy in the draft minutes of a meeting;
- to move to a vote;
- to defer consideration of a motion;
- to refer a motion to a particular committee or sub-committee;
- to appoint a person to preside at a meeting;
- to change the order of business on the agenda;
- to proceed to the next business on the agenda;
- to require a written report;
- to appoint a committee or sub-committee and their members;
- to extend the time limits for speaking;
- to exclude the press and public from a meeting in respect of confidential or sensitive information which is prejudicial to the public interest;
- to not hear further from a Councillor or a member of the public;
- to exclude a Councillor or member of the public for disorderly conduct;
- to temporarily suspend the meeting;
- to suspend a particular standing order (unless it reflects mandatory statutory requirements);
- to adjourn the meeting; or
- to close a meeting.
- If a motion falls within the Terms of Reference of a committee or sub-committee or within the delegated powers conferred on an employee, a referral of the same may be made to such committee or sub-committee or employee provided that the Chairman may direct for it to be dealt with at the present meeting for reasons of urgency or expedience.

RULES OF DEBATE

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

A motion (including an amendment) shall not be progressed unless it has been moved and seconded. For information, an amendment is a proposal to remove or add words to a motion. It shall not negate the motion.

A motion on the agenda that is not moved by its proposer may be treated by the chairman of the meeting as withdrawn.

If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting. If an amendment to the original motion is carried, the original motion becomes the substantive motion upon which further amendment(s) may be moved.

An amendment shall not be considered unless early verbal notice of it is given at the meeting and, if requested by the chair of the meeting, is expressed in writing to the chairman.

A Councillor may move an amendment to their own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.

If there is more than one amendment to an original or substantive motion, the amendments shall be moved in the order directed by the chairman.

Only one amendment shall be moved and debated at a time, the order of which shall be directed by the chairman of the meeting.

One or more amendments may be discussed together if the chairman of the meeting considers this expedient, but each amendment shall be voted upon separately.

A Councillor may not move more than one amendment to an original or substantive motion.

The mover of an amendment has no right of reply at the end of debate on it.

Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply either at the end of debate of the first amendment or at the very end of debate on the final substantive motion immediately before it is put to the vote.

Unless permitted by the chair of the meeting, a Councillor may speak once in the debate on a motion except:

- to speak on an amendment moved by another Councillor;
- to move or speak on another amendment if the motion has been amended since they last spoke;
- to make a point of order;
- to give a personal explanation; or
- in exercise of a right of reply.
- During the debate of a motion, a Councillor may interrupt only on a point of order or a personal explanation and the Councillor who was interrupted shall stop speaking. A Councillor raising a point of order shall identify the standing order which they consider has been breached or specify the other irregularity in the proceedings of the meeting they are concerned by.
- A point of order shall be decided by the chair of the meeting and their decision shall be final.
- When a motion is under debate, no other motion shall be moved except:

- to amend the motion;
- to proceed to the next business;
- to adjourn the debate;
- to put the motion to a vote;
- to ask a person to be no longer heard or to leave the meeting;
- to refer a motion to a committee or sub-committee for consideration;
- to exclude the public and press;
- to adjourn the meeting; or
- to suspend particular standing order(s) excepting those which reflect mandatory statutory requirements

Before an original or substantive motion is put to the vote, the chair of the meeting shall be satisfied that the motion has been sufficiently debated and that the mover of the motion under debate has exercised or waived their right of reply.

RESCISSION OF PREVIOUS RESOLUTIONS

A resolution (whether affirmative or negative) of the Council shall not be discussed within six months except either by a special motion, written notice thereof bears the signatures of at least six Members of the Council, or by a motion moved in pursuance of a report or recommendation of a committee or the Town Clerk due to significant material new information.

When a special motion or any other motion moved has been disposed of, no similar motion may be moved within a further six months.

THE ROLE OF THE PROPER OFFICER

The Council's Proper Officer shall be either (i) the Town Clerk or Deputy Town Clerk or (ii) such other employee appointed by the Council to undertake the role of the Proper Officer during the Proper Officer's absence. The Proper Officer and the employee appointed to act as such during the Proper Officer's absence shall fulfil the duties assigned to the Proper Officer in Standing Orders.

The Council's Proper Officer shall do the following:-
The Proper Officer shall:

- **at least three clear days before a meeting of the council, a committee** or a sub-committee**,**
- **serve on Councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the Councillor has consented to service by email), and**
- **Provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by Councillors is signed by them).**
- Convene a meeting of the Full Council for the election of a new Town Mayor occasioned by a casual vacancy in their office.
- **Facilitate inspection of the minute book by local government electors;**
- **Receive and retain copies of Byelaws made by other Local Authorities.**

- Receive and retain Declarations of Acceptance of Office from Councillors.
- Retain a copy of every Councillor's Register of Interests and any changes to it and keep copies of the same available for inspection.
- Keep proper records required before and after meetings.
- Process all requests made under the Freedom of Information Act 2000 and Data Protection Act 1998 in accordance with, and subject to, the Council's procedures relating to the same.
- receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
- Manage the organisation, storage of and access to information held by the Council in paper and electronic form.
- Arrange for legal deeds to be executed and to sign all contracts, including contracts of Employment.
- Arrange or manage for the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's Financial Regulations.
- Record every planning application notified to the Council and the Council's response to the Local Planning Authority.
- Ensure that all planning applications notified are dealt with in accordance with the Council's planning procedures.
- Refer a planning application received by the Council to the Chair and Vice-Chair of the Planning Committee within 2 days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Planning Committee.
- Manage access to information about the council via the publication scheme;
- Action or undertake activity or responsibilities instructed by resolution or contained in Standing Orders.
- As the Head of Paid service, manage all staff and be responsible for the overall delegation of work to officers.

EXECUTION AND SEALING OF LEGAL DOCUMENTS

A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.

In accordance with a resolution made under Standing Orders, any two members of the Council, may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.

THE ROLE OF THE RESPONSIBLE FINANCIAL OFFICER

The council shall appoint an appropriate staff member(s) to undertake the work of the Responsible Financial Officer when the Responsible Financial Officer is absent.

ACCOUNTS AND ACCOUNTING STATEMENTS

Proper practices" in S tanding O rders refer to the most recent version of [Governance and Accountability for Local Councils – a Practitioners' Guide (England)].

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

The Responsible Financial Officer shall supply to each Councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:

the council's receipts and payments for each quarter;
the council's aggregate receipts and payments for the year to date;

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.

As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:

to the Finance Committee with a statement summarising the council's receipts and payments for the last quarter and the year to date for information; and

to the full council the accounting statements for the year in the form of Section 1 of the annual return, as required by proper practices, for consideration and approval.
The year-end accounting statements shall be prepared in accordance with proper practices and applying the form of accounts determined by the council (income and expenditure) for a year to 31 March. A completed draft annual return shall be presented to the Finance Committee at the earliest opportunity before the end of the month of April. The annual return of the council, which is subject to external audit, including the annual governance statement, shall be presented to council for consideration and formal approval before 30 May if at all possible.

FINANCIAL CONTROLS AND PROCUREMENT

The Council has established Financial Regulations for the governance and management of its finances and to meet the requirements of the audit and accountability regime in place at the time.

All payments by the council shall be authorised, approved and paid in accordance with the law, proper practices and the council's Financial Regulations.

The Council's proper practices will be in accordance with the most recent JPAG guidance.

Where the value of a contract is likely to exceed the threshold specified by the Government from time to time, the Council must consider whether the contract is subject to the requirements of the current procurement legislation and, if so, the Council must comply with procurement rules. NALC's procurement guidance contains further details.

CODE OF CONDUCT AND DISPENSATIONS

The Council has adopted the Cornwall Code of Conduct for City, Community, Parish and Town Councils which will apply to all Councillors and members of the public co-opted to serve on Committees and sub-Committees of the Council in respect of the entire meeting.
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.

Members must have particular regard to their obligation to record and leave the room for matters in which they have an interest as defined by the Code of Conduct or by relevant legislation.

The Council shall maintain for public inspection, a Register of Members' interests that is compliant with the Code of Conduct and with relevant legislation.

Members and the Code of Conduct

All Councillors and members of the public co-opted to serve on Council committees and sub committees shall observe the Code of Conduct adopted by the Council.

All Councillors and members of the public co-opted to serve on Council committees and sub committees shall maintain a Register of Disclosable Pecuniary Interests and must update their register by notifying the Monitoring Officer and the Town Clerk of any changes within 28 days.
All Councillors shall undertake training in the code of conduct within 6 months of the delivery of their declaration of acceptance of office.

Unless granted a dispensation, a Councillor or non-Councillor with voting rights who has registered a Disclosable Pecuniary Interest in relation to any item of business being transacted at a meeting, shall leave the room whenever the item is being discussed, including any part of the meeting where the public are entitled to speak.

Unless granted a dispensation, a Councillor or non-Councillor with voting rights who has registered a non-registerable interest in relation to any item of business being transacted at a meeting, shall leave the room whenever the item is being discussed, including any part of the meeting where the public are entitled to speak.

Where a non-registerable interest arises from membership of an outside body as defined in 3.5a of the Council's code of conduct, a Councillor may remain in the room to address the meeting, provide a short statement and answer questions for no more than three (3) minutes before leaving the room at the request of the Chairman.
You must record in a register of interests maintained by the Proper Officer any gifts or hospitality that you are offered or receive in connection with your official duties as a member and the source of the gift or hospitality worth £50.00 or over.

A Member of the Council may, for the purposes of their duty as a member but not otherwise, inspect any document which has been considered by a Committee or by the Council. The Proper Officer or Solicitor to the Council may decline to allow inspection of any document which is protected by other legislation or in the event of legal proceedings would be protected by privilege arising from the relationship of solicitor and client. All Minutes kept for any Committee shall be open for the inspection of any member of the Council during office hours.

RESTRICTIONS ON COUNCILLOR ACTIVITIES

Unless authorised by a resolution, no Councillor shall:

- inspect any land and/or premises which the council has a right or duty to inspect; or
- issue orders, instructions or directions.

- incur any expenditure on behalf of the council or issue an instruction to incur expenditure.

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. A decision as to whether to grant a dispensation shall be made by a meeting of the council, or committee or sub-committee for which the dispensation is required and that decision is final. A dispensation request shall confirm:

- the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
- whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
- the date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
- an explanation as to why the dispensation is sought.

This policy shall apply to all meetings of the Council, its committees and sub-committees. No dispensation will be awarded for any meeting where there are no minutes of the proceedings.

A dispensation may be granted if having regard to all relevant circumstances any of the following apply:

without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business or

granting the dispensation is in the interests of persons living in the council's area or

it is otherwise appropriate to grant a dispensation.

CODE OF CONDUCT COMPLAINTS

Notification of any complaint shall remain confidential to the Proper Officer of the Council until such time as the matter has been concluded, when the outcome of the complaint shall be reported to a meeting of Full council.

Where the notification relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chair or Vice Chair of that fact, who, upon receipt of such notification, shall nominate a person to assume the duties of the Proper Officer set out in this standing order, and who shall continue to act in respect of that matter as such until the complaint is resolved.

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. The council may:

- provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is required by law;
- seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter;
- References to a notification shall be taken to refer to a communication of any kind which relates to a breach or an alleged breach of the code of conduct by a Councillor.

Upon notification by the Cornwall Council that a Councillor or non-Councillor with voting rights has breached the council's code of conduct, the council shall consider any recommendations and what, if any, action to take against him/her. Such action excludes disqualification or suspension from office.

MANAGEMENT AND HANDLING OF INFORMATION

a **The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.**

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

c **The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.**

d **Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.**

RESPONSIBILITIES TO PROVIDE INFORMATION

In accordance with Freedom of Information legislation, the Council shall publish information in accordance with its Publication Scheme and respond to requests for information held by the Council.
The Council shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.

RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

The Council may appoint a Data Protection Officer and Data Controller.

The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning their personal data.
The Council shall have a written policy in place for responding to and managing a personal data breach.

The Council shall keep a record of all personal data breaches comprising the facts relating to the personal data breach, its effects and the remedial action taken.
The Council shall ensure that information communicated in its privacy notice(s) is in an easily accessible and available form and kept up to date.

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

EXTERNAL RELATIONSHIPS

RELATIONS WITH THE PRESS/MEDIA

The Clerk shall afford to the press, reasonable facilities for taking their report of any proceedings at which they are entitled to be present.
All requests from the press or other media for an oral or written statement or comment from the Council shall be referred to the Town Mayor, by the Town Clerk or Deputy.

The Council shall issue a Press Release only by agreement with the Mayor and/or Deputy Mayor in line with delegated powers.

Councillors shall not, in their official capacity, provide oral or written statements or written articles

to the press or media on behalf of the Town Council.

LIAISON WITH CORNWALL COUNCIL

A Full Council agenda shall be sent to the three Cornwall Council local Divisional members.
Agendas for each of the standing committee meetings shall also be sent to the three Cornwall Council local Divisional members.
An agenda item shall be included on each scheduled meeting of the Full Council to receive reports from Local Cornwall Councillors, and for them to take questions from Members.

STANDING ORDERS GENERALLY

All or part of a standing order, except one that incorporates mandatory statutory requirements (**written in bold**), may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.

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 2 Councillors to be given to the Proper Officer in accordance with standing order 5 above.

The Proper Officer shall provide a copy of the council's Standing Orders to a Councillor as soon as possible after they have delivered their acceptance of office form.

The decision of the chair of a meeting as to the application of Standing Orders at the meeting shall be final.