



Standing Orders

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Appendix A Terms of Reference of Committees

Appendix B Right of members of the public to address the Planning and Licensing Committee

Appendix C Right of members of the public to address meetings of standing committees of the Council other than the Planning and Licensing Committee

In these Standing Orders:

- i. references to the Town Mayor shall include the person occupying the chair at a Full Council meeting or the meeting of a Committee; and
- ii. "he" shall be read so as to mean "s/he".

1 Meetings

- a **All Meetings of Full Council shall be held in Loughton Library and Town Hall, Traps Hill, Loughton, IG10 1HD commencing at 7.45pm unless the Council otherwise decides at a previous meeting.**

- b **When calculating the 3 clear days for notice of a meeting to councillors and the public, 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 shall not count.**

- c **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.**

(Note: If a person's advice or assistance is needed they may be invited (by name) to remain after the exclusion resolution is passed).

- d Subject to standing order 1(c) above, members of the public are permitted to make representations, answer questions and give evidence in respect of any item of business included in the agenda.

- e The period of time which is designated for public participation in accordance with standing order 1(d) above shall not exceed 15 minutes (save in exceptional circumstances and at the discretion of the Town Mayor).

- f Subject to standing order 1(e) above, each member of the public is entitled to speak once only in respect of business itemised on the agenda and shall not speak for more than 3 minutes.

- g Persons wishing to address the Council must give notice to the Town Clerk by 3pm on the day of the meeting, signifying the official position of the person (if any) and the agenda item about which it is desired to make the address.

- h No item will be deferred owing to the absence of someone who had indicated an intention to address the meeting.
- i If there are five or more persons wishing to address the Council the Town Mayor will encourage them to elect representatives to speak preserving a balance of views as far as possible.
- j In accordance with standing order 1(d) above, a question asked by a member of the public during a public participation session at a meeting shall not require a response or debate.
- k In accordance with standing order 1(g) above, the Town Mayor may direct that a response to a question posed by a member of the public be referred to a Councillor for an oral response or to an employee for a written or oral response.
- l A record of a public participation session at a meeting shall be included in the minutes of that meeting.
- m A member shall raise his hand when requesting to speak. The Town Mayor will call each councillor who has indicated his wish to speak. The practice of the Council is that Members speak seated. Members of the public who have indicated a wish to speak will be called at the appropriate time by the Town Mayor, and the practice of the Council is that they speak standing (save in the case of illness or infirmity) from a part of the chamber away from councillors' tables.
- n Any person speaking at a meeting shall address his comments to the Chairman.
- o Only one person is permitted to speak at a time. If more than one person wishes to speak, the Town Mayor shall direct the order of speaking.
- p Whenever the Town Mayor rises or intervenes during a debate all other members shall be seated and silent.

- q A person may not orally report or comment about a meeting as it takes place if he/she is present at the meeting of the Town Council or its committees without permission, 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; and
 - c report or comment on the proceedings in writing during or after a meeting or orally report or comment after the meeting
- r **In accordance with standing order 1(c) above, the press shall be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.**
- s **The Town Mayor may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote.** (See also standing orders 2 (g) and (h) below.)
- t The method of voting at meetings of the Council shall be by a show of hands. On the requisition of any member of the Council made before a vote is taken, the voting on any question shall be recorded so as to show whether each member present gave his vote for or against that question or abstained from voting. Any individual member may have his dissent recorded.
- u **The minutes of a meeting shall record the names of councillors present and absent.**
- v If prior to a meeting, a Councillor has submitted reasons for his absence at the meeting which is then approved by a resolution, such resolution shall be recorded in the minutes of the meeting at which the approval was given.
- w **The code of conduct adopted by the Council shall apply to councillors in respect of the entire meeting.** (See also standing order 7 below.)

x An interest arising from the code of conduct adopted by the Council, the existence and nature of which is required to be disclosed by a Councillor at a meeting shall be recorded in the minutes.

y Councillors with a disclosable pecuniary interest must leave the room or chamber during the relevant item of business, unless permitted to remain following the grant of a dispensation.

Councillors with a prejudicial but not a disclosable pecuniary interest in relation to any item of business being transacted at a meeting may (i) make representations, (ii) answer questions and (iii) give evidence relating to the business being transacted but must, thereafter, leave the room or chamber, unless permitted to remain following the grant of a dispensation.

z 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 3.

aa **If a meeting is or becomes inquorate no business shall be transacted** and the meeting shall be adjourned. Any outstanding business of a meeting so adjourned shall be transacted at a following meeting.

ff Meetings shall finish no later than 9.30 in the evening, or 105 minutes after the start of a meeting commenced at any other time.

2 Ordinary Council meetings

See also standing order 1 above

a 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.

b 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.

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

- d The election of the Town Mayor and Deputy Town Mayor shall be the first business completed at the annual meeting of the Council.**
- e The Town Mayor, 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.**
- f The Deputy Town Mayor, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Town Mayor at the next annual meeting of the Council.**
- g In an election year, if the serving Town Mayor has not been re-elected as a member of the Council, he shall preside at the meeting until a successor Town Mayor has been elected. The Town Mayor thus presiding shall not have an original vote in respect of the election of the new Town Mayor but will have a casting vote in the case of an equality of votes.**
- h In an election year, if the serving Town Mayor has been re-elected as a member of the Council, he shall preside at the meeting until a new Town Mayor has been elected. He may exercise an original vote in respect of the election of the new Town Mayor and must give a casting vote in the case of an equality of votes.**
- i 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.**
 - i. To choose a person to preside if the Town Mayor and Deputy Town Mayor be absent.**
 - ii. In an election year, to decide when any Declarations of Acceptance of Office, which have not been received as provided by law, shall be received. In a year which is not an election year, the Town Mayor shall deliver his acceptance of office unless the Council resolves for this to be done at a later date.**
 - iii. To receive apologies for absence.**
 - iv. To consider, amend if necessary, and sign as a correct record the minutes of the last meeting of the Council.**
 - v. To declare any pecuniary or non-pecuniary interest in any item on the agenda.**

- vi. To appoint members to Standing Committees and to elect Chairmen and Vice Chairmen of the Council's Standing Committees.
- vii. To appoint persons authorised to make substitutions for their respective groups (see Standing Order 16(x)).
- viii. To appoint representatives to outside bodies and review arrangements for reporting back on the activities of outside bodies.
- ix. To deal with other business, if any, notified in the summons.

3 Proper Officer

- a The Council's Proper Officer shall be either (i) the clerk or such other employee as may be nominated by the Council from time to time or (ii) such other person appointed by the Council to undertake the role of the Proper Officer during the Proper Officer's absence. The Proper Officer and the person appointed to act as such during the Proper Officer's absence shall fulfil the duties assigned to the Proper Officer in standing orders.
- b The Council's Proper Officer shall do the following:
 - i. **Sign and serve on all councillors by delivery or post at their residences a summons confirming the time, date, venue and the agenda of a meeting of the Council and to the members of a committee and sub-committee at least 3 clear days before the meeting.**
(Note: See also standing order 1b above)
 - ii. Copies of agendas will also be sent to all councillors electronically via their public email addresses. Non-committee members wishing to receive paper copies through the post should make a specific written request to the Proper Officer.
 - iii. **Give public notice of the time, date, venue and agenda at least 3 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).**
 - iv. Subject to standing orders 4(a)–(e) below, include in the agenda all motions in the order received unless a councillor has given written notice at least five working days before the meeting confirming his withdrawal of it.
 - v. **Convene a meeting of full Council for the election of a new Town Mayor, occasioned by a casual vacancy in his office, in accordance with standing order 3(b)i and 3(b)ii above.**

- vi. Make available for inspection the minutes of meetings.
- vii. **Receive and retain copies of byelaws made by principal authorities which affect the area of the Town.**
- viii. **Receive and retain declarations of acceptance of office from councillors** and provide copies to the Monitoring Officer.
- ix. Retain a copy of every councillor's register of interests and any changes to it and keep copies of the same available for inspection, ensuring these are also available on the Council's website.
- x. Keep proper records required before and after meetings.
- xi. 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.
- xii. Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary.
- xiii. Manage the organisation, storage of and access to information held by the Council in paper and electronic form.
- xiv. Arrange for legal deeds to be signed by 2 councillors and witnessed (*See also model standing orders 14(a) and (b).*)
- xv. Arrange for the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with the Council's financial regulations.
- xvi. Record every planning application notified to the Council and the Council's response to the local planning authority in a way approved by the Council;
- xvii. Refer a planning or licensing application received by the Council to the Chairman (or in his absence Vice-Chairman) of the Planning and Licensing Committee within 2 working days of receipt if the nature of such application requires consideration before the next ordinary meeting of that Committee.
- xviii. Retain custody of the seal of the Council (if any) which shall not be used without a resolution to that effect.

- xix. Action or undertake activity or responsibilities instructed by resolution or contained in standing orders.

4 Motions requiring written notice

- a In accordance with standing order 3(b)(iv) above, no motion may be moved at a meeting unless it is included in the agenda and the mover has given written notice of its wording to the Council's Proper Officer on or before the fifth working day before the next meeting.
- b The Proper Officer may, before including a motion in the agenda received in accordance with standing order 4(a) above, correct obvious grammatical or typographical errors in the wording of the motion.
- c If the Proper Officer considers the wording of a motion received in accordance with standing order 4(a) above is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it in writing to the Proper Officer in clear and unambiguous language at least five working days before the meeting.
- d If the wording or nature of a proposed motion is considered unlawful or improper, the Proper Officer shall consult with the Town Mayor, or, as the case may be, the chairman of the forthcoming meeting or the Councillors who have convened the meeting, to consider whether the motion shall be included in the agenda or rejected.
- e Having consulted the relevant member(s) pursuant to standing order 4(d) above, the decision of the Proper Officer as to whether or not to include the motion in the agenda shall be final.
- f Notice of every motion received in accordance with the Council's standing orders shall be numbered in the order received and shall be entered in a book, which shall be open to inspection by all councillors.
- g Every motion rejected in accordance with the Council's standing orders shall be duly recorded with a note by the Proper Officer giving reasons for its rejection in a book for that purpose, which shall be open to inspection by all councillors.

- h Every motion and resolution shall relate to the Council's statutory functions, powers and lawful obligations or shall relate to an issue which specifically affects the Council's area or its residents.

5 Motions not requiring written notice

- a Motions in respect of the following matters may be moved without written notice.
 - i. To appoint a person to preside at a meeting.
 - ii. To approve the absences of councillors.
 - iii. To approve the accuracy of the minutes of the previous meeting.
 - iv. To correct an inaccuracy in the minutes of the previous meeting.
 - v. To dispose of business, if any, remaining from the last meeting.
 - vi. To alter the order of business on the agenda for reasons of urgency or expedience.
 - vii. To proceed to the next business on the agenda.
 - viii. To close or adjourn debate.
 - ix. To refer by formal delegation a matter to a committee or to a sub-committee or an employee or in the case of a committee, to refer it to Full Council.
 - x. To appoint a committee or sub-committee or any councillors (including substitutes) thereto.
 - xi. To receive nominations to a committee or sub-committee.
 - xii. To dissolve a committee or sub-committee.
 - xiii. To note the minutes of a meeting of a committee or sub-committee.
 - xiv. To consider a report and/or recommendations made by a committee or a sub-committee or an employee.
 - xv. To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.
 - xvi. To authorise legal deeds [to be sealed by the Council's common seal] OR [signed by two councillors] and witnessed.
(See standing orders 14(a) and (b) below.)
 - xvii. To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.
 - xviii. To extend the time limit for speeches.
 - xix. To exclude the press and public for all or part of a meeting.
 - xx. To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.

- xxi. To give the consent of the Council if such consent is required by standing orders.
 - xxii. To suspend any standing order except those which are mandatory by law.
 - xxiii. To adjourn the meeting.
 - xxiv. To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.
 - xxv. To answer questions from councillors.
- b 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.

6 Rules of debate

- a Motions included in an agenda shall be considered in the order in which they appear on the agenda unless the order is changed at the Town Mayor's or meeting's direction for reasons of expediency.
- b Subject to standing orders 4(a)–(e) above, a motion shall not be considered unless it has been proposed and seconded.
- c Subject to standing order 3(b)(iv) above, a motion included in an agenda not moved by the councillor who tabled it, may be treated as withdrawn.
- d A motion to amend an original or substantive motion shall not be considered unless proper notice has been given after the original or substantive motion has been seconded and notice of such amendment, shall, if required by the Town Mayor, be reduced to writing and handed to the Town Mayor, who shall determine the order in which they are considered.
- e A Councillor may move amendments to his own motion. If a motion has already been seconded, an amendment to it shall be with the consent of the seconder.
- f Any amendment to a motion shall be either:
 - i. to leave out words;
 - ii. to add words;
 - iii. to leave out words and add other words.

- g A proposed or carried amendment to a motion shall not have the effect of rescinding the original or substantive motion under consideration.
- h Only one amendment shall be moved and debated at a time, the order of which shall be directed by the Town Mayor. No further amendment to a motion shall be moved until the previous amendment has been disposed of.
- i Subject to Standing Order 6(h) above, one or more amendments may be discussed together if the Town Mayor considers this expedient but shall be voted upon separately.
- j Pursuant to standing order 6(h) above, the number of amendments to an original or substantive motion, which may be moved by a councillor, is limited to one.
- k If an amendment is not carried, other amendments shall be moved in the order directed by the Town Mayor.
- l If an amendment is carried, the original 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.
- m The mover of a motion or the mover of an amendment shall have a right of reply, not exceeding 5 minutes.
- n Where a series of amendments to an original motion are carried, the mover of the original motion shall have a right of reply in respect of the substantive motion at the very end of debate and immediately before it is put to the vote.
- o Subject to standing orders 6(m) and (n) above, a councillor may not speak further in respect of any one motion except to speak once on an amendment moved by another councillor or to make a point of order or to give a personal explanation.
- p 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 he considers has been breached or specify the irregularity in the meeting he is concerned by.

- q Any point of order shall be decided by the Town Mayor and his decision shall be final.
- r With the consent of the seconder and/or of the meeting, a motion or amendment may be withdrawn by the proposer. A councillor shall not speak upon the said motion or amendment unless permission for the withdrawal of the motion or amendment has been refused.
- s Subject to standing order 6(o) above, when a councillor's motion is under debate no other motion shall be moved except:
 - i. to amend the motion;
 - ii. to proceed to the next business;
 - iii. to adjourn the debate;
 - iv. to put the motion to a vote;
 - v. to ask a person to be silent or for him to leave the meeting;
 - vi. to refer a motion to a committee or sub-committee for consideration;
 - vii. to exclude the public and press;
 - viii. to adjourn the meeting;
 - ix. to suspend any standing order, except those which are mandatory.
- t In respect of standing order 6(s)(iv) above, the Town Mayor shall first be satisfied that the motion has, in his opinion, been sufficiently debated before it is seconded and put to the vote. The Town Mayor shall call upon the mover of the motion under debate to exercise or waive his right of reply and shall put the motion to the vote after that right has been exercised or waived. The adjournment of a debate or of the meeting shall not prejudice the mover's right of reply at the resumption.

7 Code of conduct

- a All councillors shall observe the code of conduct adopted by the Council.**
- b All councillors shall undertake training in the code of conduct within 6 months of the delivery of their declaration of acceptance of office or of the adoption of a new code.
- c Upon notification by the District or Unitary Council that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Council shall consider what, if any, action to take against him. Such action excludes disqualification or suspension from office.**

8 Questions

- a A councillor may seek an answer to a question concerning any business of the Council provided five working days' notice of the question has been given to the Proper Officer.
- b Questions not related to items of business on the agenda for a meeting shall be asked only during the part of the meeting (if any) set aside for such questions.
- c Every question shall be put and answered without discussion.

9 Minutes

- a If a copy of the draft minutes of a preceding meeting has been circulated to councillors no later than the day of service of the summons to attend the scheduled meeting they shall be taken as read.
- b No discussion of the draft minutes of a preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the minutes shall be raised in accordance with standing order 5(a)(iv) above.
- c Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the Town Mayor of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d If the Town Mayor does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:

“I do not believe that the minutes of the meeting of the () held on [date] in respect of () were a correct record but his view was not upheld by the majority of the () and the minutes are confirmed as an accurate record of the proceedings.”
- e Upon a resolution which confirms the accuracy of the minutes of a meeting, any previous draft minutes or recordings of the meeting shall be destroyed.

10 Disorderly conduct

- a No person shall obstruct the transaction of business at a meeting or behave offensively or improperly.
- b If, in the opinion of the Town Mayor, there has been a breach of standing order 10(a) above, the Town Mayor shall express that opinion and thereafter any councillor (including the Town Mayor) may move that the person be silenced or excluded from the meeting, and the motion, if seconded, shall be put forth with and without discussion.
- c If a resolution made in accordance with standing order 10(b) above, is disobeyed, the Town Mayor may take such further steps as may reasonably be necessary to enforce it and/or he may adjourn the meeting.

11 Rescission of previous resolutions

- a A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months except either by a special motion, the written notice whereof bears the names of at least seven councillors of the Council, or by a motion moved in pursuance of the report or recommendation of a committee.
- b When a special motion or any other motion moved pursuant to standing order 11(a) above has been disposed of, no similar motion may be moved within a further 6 months.

12 Voting on appointments

- a Where more than 2 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 Town Mayor's casting vote.

13 Expenditure

See also standing order 33 below.

- a Any expenditure incurred by the Council shall be in accordance with the Council's financial regulations.
- b **The Council's financial regulations shall be reviewed once a year.**
- c **The Council's financial regulations may make provision for the authorisation of the payment of money in exercise of any of the Council's functions to be delegated to a committee, sub-committee or to an employee.**

14 Execution and sealing of legal deeds

See also standing order 5 (xvi) above.

- a A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.
- b **In accordance with a resolution made under standing order 14(a) above, 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.**

15 Delegation Of Urgent Matters

There shall be delegated to the Town Clerk the authority to act in respect of any function of the Council which, in his/her opinion, does not admit of delay. Such authority shall only be exercised after consultation with the Town Mayor or Deputy Town Mayor, and the Chairman or Vice Chairman of the committee within whose terms of reference the particular function lies, unless they cannot be contacted and the urgency is such that action is paramount.

16 Committees

See also standing order 1 above

- a The Council shall, at its annual meeting, appoint standing committees and may at any other time appoint such other committees as may be necessary, and:
 - i. shall determine their terms of reference;
 - ii. may permit committees to determine the dates of their meetings;
 - iii. shall appoint and determine the term of office of councillor or non-councillor members of such a committee (unless the appointment of non-councillors is prohibited by law) so as to hold office no later than the next annual meeting;

- iv. The membership of committees will be appointed as nearly as possible on a pro-rata basis to the number of members elected to the Council representing different political groups.
- v. Substitution of a member for another member who is unable to attend a meeting of a committee of which he is a member may be made by a nominated person giving notice in writing, signed by the nominated person, to the Town Clerk, the original notice and any subsequent amendment, to be delivered to the Town Council office no later than three hours before the scheduled starting time of the meeting. Such notice shall state the name of the person for whom the substitution is being made, and the name of the substitute.⁶
 - ⁵ *notice sent to the council's generic email address from the known email address of the nominated person shall satisfy the requirement for signed written notice.*
 - ⁶ *If the person for whom the substitution is being made subsequently became available to attend, he would then only be able to attend the meeting as a non-committee member; the substitute member takes precedence, unless the committee resolves otherwise.*
- vi. Any such substitution shall conform to Standing Order 16 (iv).
- vii. A member attending a meeting as a substitute under this Standing Order shall be accounted a full member of the committee for that meeting only, and shall be entitled to speak and vote thereat.
- viii. The Chairman of the committee shall direct the committee's attention to the substitution under the agenda heading of apologies for absence.
- ix. If a meeting of a committee is adjourned, any member attending that meeting as a substitute shall be entitled to attend the adjourned meeting, and the original member for whom the substitution was made shall not be entitled to attend the adjourned meeting, as a member of the committee.
- x. Up to three persons per political group will be nominated to be authorised to make substitutions as in (v) above, the nominations to be notified to the Annual Meeting.
- xi. may in accordance with standing orders, dissolve a committee at any time.

See Appendix 1, for the current Terms of Reference for Committees.

17 Sub-committees

See also standing order 1 above

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

18 Extraordinary meetings

See also standing order 1 above

- a **The Town Mayor may convene an extraordinary meeting of the Council at any time.**
- b **If the Town Mayor does not or refuses to call an extraordinary meeting of the Council within 7 days of having been requested to do so by two councillors, those two councillors may convene an extraordinary meeting of the Council. The statutory public notice giving the time, venue and agenda for such a meeting must be signed by the two councillors and specify the business to be transacted.**
- c The Chairman of a committee (or a sub-committee) may convene an extraordinary meeting of the committee or sub-committee at any time.
- d If the Chairman of a committee (or a sub-committee) does not or refuses to call an extraordinary meeting within 7 days of having been requested by to do so by 2 councillors, those 2 councillors may convene an extraordinary meeting of a committee (or a sub-committee). The statutory public notice giving the time, venue and agenda for such a meeting must be signed by those councillors and specify the business to be transacted.

19 Advisory committees

See also standing order 1 above

- a The Council may appoint advisory committees comprised of a number of councillors and non-councillors.
- b Advisory committees and any sub-committees may consist wholly of persons who are non-councillors.

20 Accounts and Financial Statement

- a All payments by the Council shall be authorised, approved and paid in accordance with the Council's financial regulations, which shall be reviewed at least annually.
- b The Statement of Accounts of the Council (which is subject to external audit), including the annual governance statement, shall be presented to Council for formal approval before 30 June.

21 Estimates/precepts

- a **The Council shall approve written estimates for the coming financial year** at its meeting before the end of January.
- b Any committee desiring to incur expenditure shall give the Proper Officer a written estimate of the expenditure recommended for the coming year no later than December.

22 Canvassing of and recommendations by councillors

- a 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 this standing order to every candidate.
- b A councillor or a 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.
- c This standing order shall apply to tenders as if the person making the tender were a candidate for an appointment.

23 Inspection of documents

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

24 Unauthorised activities

- a Unless authorised by a resolution, no individual councillor shall in the name or on behalf of the Council, a committee or a sub-committee:
 - i. inspect any land and/or premises which the Council has a right or duty to inspect; except insofar as he may do so as a member of the general public; or
 - ii. issue orders, instructions or directions.

25 Confidential business

- a Councillors shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature.
- b A councillor in breach of the provisions of standing order 25(a) above may be removed from a committee or a sub-committee by a resolution of the Council.

26 Matters affecting council employees

If a meeting considers any matter personal to a Council employee, it shall not be considered until the Council or the committee or sub-committee has decided whether or not the press and public shall be excluded pursuant to standing order 1(c) above.

27 Freedom of Information Act 2000

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

- b Correspondence from, and notices served by, the Information Commissioner shall be referred by the Proper Officer to the chairman of the Resources and General Services Committee. The said committee shall have the power to do anything to facilitate compliance with the Freedom of Information Act 2000 including exercising the powers of the Proper Officer in respect of Freedom of Information requests set out under Standing Order 3(b)(xi) above.

28 Management 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.

29 Responsibilities to Provide Information

- a 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.
- b The Council, shall publish information in accordance with the requirements of the Local Government (Transparency Requirements) (England) Regulations 2015.

30 Responsibilities under Data Protection Legislation

- a The Council shall appoint a Data Protection Information Officer.
- b The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.
- c The Council shall have a written policy in place for responding to and managing a personal data breach.
- d 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.
- e 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.
- f The Council shall maintain a written record of its processing activities.

31 Official Communications

- a All official communications whether made on behalf of the Council or of a committee shall be issued by the Town Clerk.
- b No member of the Council shall communicate with nor issue orders, instructions or directions in the name of the Council to any outside person or authority upon the business of the Council except through the Town Clerk, unless such communication shall be in pursuance of express authority given by the Council or a committee to a named individual in respect of a matter specified in the resolution of authority.
- c No member of the Council shall issue orders, instructions or directions to any member of the Council's staff except through the Town Clerk, unless such communication shall be in pursuance of express authority given by the Council or a committee to a named individual in respect of a matter specified in the resolution of authority.

32 Liaison with County and District Councillors

Electronic notification of meetings of the Council shall be sent to the councillors of the District and County Council representing wards and divisions contained in the Council's area.

33 Financial Regulations and Contracts

The Council will make regulations for the conduct of its financial affairs **and for the letting of contracts**, and such Regulations shall form part of these standing orders. The procurement and award of contracts covered by the Public Contracts Regulations 2015 which have an estimated value of £25,000 or more must also satisfy the requirements of the 2015 Regulations which include use of the Contracts Finder website and other light touch rules detailed in the 2015 Regulations.

34 Allegations of breaches of the code of conduct

On receipt of a notification that there has been an alleged breach of the Code of Conduct the Proper Officer shall refer the matter to the Monitoring Officer of Epping Forest District Council.

35 Variation, revocation and suspension of standing orders

- a Any part of the standing orders, except those which are mandatory by law, may be suspended by resolution in relation to any specific item of business.
- b Any motion to add to, vary or revoke these standing orders shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council, and when debated, shall be carried only if two-thirds of the councillors present vote in favour of it.

36 Standing orders to be given to councillors

- a The Proper Officer shall provide a hard copy of the Council's standing orders to a councillor upon delivery of his declaration of acceptance of office.
- b The Town Mayor's decision as to the application of standing orders at meetings shall be final.
- c A councillor's failure to observe standing orders more than three times in one meeting may result in him being excluded from the meeting in accordance with standing orders.

APPENDIX A

TERMS OF REFERENCE OF COMMITTEES

All committees have delegated power to act on behalf of the Council within their terms of reference.

Resources and General Services Committee

The overall purpose of this committee is to ensure that the council's finances, staffing, and its statutory obligations are conducted in accordance with good practice, and to administer services which are not the responsibility of the other standing committees

- 1 To conduct effectively the Council's budgetary, financial and precepting responsibilities in accordance with statutory requirements, and to keep the smooth functioning of the Council's work under review.
- 2 To consider and keep under review:
 - (i) the main objectives of the Council.
 - (ii) all major or overall issues of policy affecting the town.
 - (iii) the development of existing, and introduction of new, services.
 - (iv) the order of priorities as between one service or project and another, and to advise other committees accordingly.
 - (v) relations with principal councils and neighbouring authorities
- 3 To consider the resources available to meet the Council's objectives in terms of land, finance and manpower and to advise other committees and the Council as required.
- 4 To consider the financial implications of the Council's plans and to recommend to the Council levels of expenditure in connection therewith.
- 5 To regulate and control the finance of the Council.
- 6 To consider estimates of this committee and of other committees of income and expenditure on continuing services and payments on capital account for the next and future financial years.
- 7 To review all charges and fees made or proposed by all committees.
- 8 To submit to the Council estimates of income and expenditure of the Council on continuing services and of payments on capital account for the next financial year and make a recommendation as to the precept to be demanded from the District Council.
- 9 To consider and approve as appropriate requests from other committees to incur expenditure greater than already approved by the Council, and also to consider any such requirement in respect of its own expenditure.
- 10 To have charge of the financial and accounting arrangements of the Council.
- 11 To receive reports from the internal and external auditors.
- 12 To consider and decide upon recommendations from service committees for variations in staffing.
- 13 To hold overall responsibility for employment matters.

- 14 To review Standing Orders, terms of reference of committees, terms of delegation to officers and Financial Regulations and recommend amendments to the Council.
- 15 To be responsible to the Council for and review the effectiveness and efficiency of all services which do not fall within the province of any one committee.
- 16 To consider all matters arising in relation to the boundaries of the town, the number of Town Councillors and elections of any kind within the town and make recommendations to the Council.
- 17 To consider any matters affecting members, including members' allowances and the Council's Programme of Meetings.
- 18 To be responsible for the Council's assets, records and archives, and for those of its predecessors.
- 19 To be responsible for council properties such as Town Council Offices and other civic premises (save for council properties reserved to other committees according to their responsibilities).
- 20 To be responsible for publicity matters, including the Annual Report, and to produce a town newsletter.
- 21 To be responsible to the Town Mayor for press and public relations and civic hospitality and ceremonies.
- 22 To be responsible for the council's electronic government arrangements, including the council's website
- 23 To liaise as necessary with the residents of the town by holding community forums.
- 24 To consider applications for grants and to approve any such grants.
- 25 To draw up, review and maintain a local emergency plan.
- 26 To be responsible for expenditure within the limits previously approved by the Council.

Planning and Licensing Committee

The overall purpose of this committee is to ensure informed local knowledge is brought to bear on planning and licensing applications and to convey those views in a timely way to the appropriate authority; and to contribute to the formation of planning policies.

- 1 To consider all applications received for planning consent within the town, other than those emanating from the Town Council itself, and to submit comments to the District Council within appropriate time limits; also to consider any applications for planning consent in adjacent areas where such application would affect the well-being of the town and its residents.
- 2 To consider all appeals against planning refusal, non-determination or the imposition of conditions by the District Council within the town and to submit comments to the appropriate government department.
- 3 To consider any proposals relating to the regional, County or District plans and to submit comments to the appropriate body.

- 4 To consider key development and planning policies and issues and make recommendations to the relevant body or the Council.
- 5 To consider within the appropriate time limits whether to comment on behalf of interested parties to the Licensing Authority on applications for new or amended licences made under the Licensing Act 2003 or for any other licences.
- 6 To consider proposals for street naming and numbering.
- 7 To consider and submit to the Resources and General Services Committee estimates of income and expenditure on continuing services and on capital account for the following year.
- 8 To be responsible for expenditure within the limits previously approved by the Council.

Recreation Committee

The overall purpose of this committee is to discharge effectively and economically the Council's duties in the sphere of recreational and leisure activities and to develop policies in this area.

- 1 To consider and to implement, as appropriate, proposals for the promotion and development of sports, playing fields, recreation grounds, open spaces, and youth facilities.
- 2 To encourage and sponsor arts, recreational, social and cultural activities throughout the town.
- 3 To ensure the proper management of the recreation and amenity facilities provided by the Council insofar as there is no agreement in being for their management by another body.
- 4 To be responsible for matters relating to public and community halls, including those operated by the Council.
- 5 To consider and decide upon matters relating to safety, including home, water and community safety.
- 6 To consider any other general matters relating to the community and welfare of the town, e.g. youth services, health, crime and disorder.
- 7 To maintain liaison with the District and County Councils and other local and regional bodies established for the promotion and/or management of any facilities or activities which fall within the committee's terms of reference.
- 8 To consider and submit to the Resources and General Services Committee estimates of income and expenditure on continuing services and on capital account for the following year.
- 9 To be responsible for expenditure within the limits previously approved by the Council.

Environment and Heritage Committee

The overall purpose of this committee is to discharge effectively and economically the Council's duties in relation to the environment of Loughton and its heritage, and to develop policies in this sphere.

- 1 To consider matters relating to the local environment in general, and to take any action as appropriate
- 2 To keep under review the historical facilities of the town and the need for further development of such activities.
- 3 To consider the amenities of the town generally, and to make recommendations for change as appropriate.
- 4 To liaise as necessary with other bodies on tourism, traffic, and transport, including public transport and road safety, and to make proposals as necessary.
- 5 To consider heritage issues, matters relating to conservation areas and the listing of buildings (except insofar as such matters fall under the remit of the Planning and Licensing Committee) and museums, and to make proposals as appropriate; to administer the Council's heritage plaque scheme.
- 6 To be responsible for the provision and maintenance of public seats, bus shelters and litter bins, and other street furniture as may be decided.
- 7 To be responsible for the operation of Loughton Cemetery and any other cemetery which is the responsibility of the Council.
- 8 To ensure the proper management of the allotment sites provided by the Council insofar as there is no agreement in being for their management by another body and to appoint or remove managers under the Allotments Acts 1908 to 1950.
- 9 To maintain liaison with the District and County Councils and other local and regional bodies established for the promotion and/or management of any facilities or activities which fall within the committee's terms of reference.
- 10 To consider environmental policies and issues and make recommendations to the relevant body or the Council.
- 11 To consider and submit to the Resources and General Services Committee estimates of income and expenditure on continuing services and on capital account for the following year.
- 12 To be responsible for expenditure within the limits previously approved by the Council.

General matters delegated to all committees

- 1 Approval of requests from a member for leave of absence.
- 2 Approval of duties carried out by members, for the purposes of paying allowances.
- 3 Responses to consultations on subjects within their terms of reference.

Appendix B

Right of members of the public to address the Planning and Licensing Committee

- 1 The following persons shall be able, on request, to address the Committee concerning any planning or licensing application or related matter (not including enforcement action) before that committee for consideration:
 - (a) one applicant (or one nominated agent or representative)
 - (b) one objector (except where, in the light of exceptional circumstances approved by the Chairman of the committee, additional speakers are allowed).
- 2 The number of speakers shall be limited to two on any one item. Where there are several objectors they will be required to nominate a representative to speak on behalf of all of them (subject to the proviso under 1(b) above).
- 3 Persons addressing the committee shall be allowed no more than three minutes to make their addresses, and having done so shall not be permitted to speak again on that item.
- 4 Persons wishing to address the Committee must give notice to the Town Council by 3pm on the day of the meeting. Any written submissions must also be received by the Council by 3pm on the day of the meeting. No item will be deferred due to the absence of someone who had indicated an intention to address the meeting.
- 5 The addresses will be made during the course of the meeting when the committee reaches that item on the agenda. The committee may agree to vary the order of the agenda to facilitate the smooth running of the meeting.

Appendix C

Right of members of the public to address meetings of standing committees of the Council other than the Planning and Licensing Committee

- 1 Members of the public shall be permitted, on request, to address meetings of standing committees of the Council other than the Planning and Licensing Committee in relation to any business to be transacted at that meeting.
- 2 The committee will hear any such representations after the signing of the minutes, for a period not normally exceeding fifteen minutes.
- 3 A person addressing a committee shall be allowed no more than three minutes to make the address. There shall be no further discussion of any such address at the time it is made.
- 4 The Chairman of the meeting may curtail or disallow any address which is felt to be inappropriate, abusive, indecent, frivolous, irrelevant or otherwise unacceptable.
- 5 Persons wishing to address a committee must give notice to the Town Council by 3pm on the day of the meeting, signifying the official position of the person and the agenda item about which it is desired to make the address. No item will be deferred owing to the absence of someone who had indicated an intention to address the meeting. If there are five or more persons wishing to address a committee the Chairman will encourage them to elect representatives to speak preserving a balance of views as far as possible.