



# SHANKLIN TOWN COUNCIL STANDING ORDERS

## **Introduction**

These `Standing Order` set out how the Town Council regulates its business and proceedings. Our Standing Orders have been based on the National Association of Local Councils Model Standing Orders. This latest version was adopted by the Town Council in February 2026.

Standing Orders which are **CAPITALISED & BOLD** contain legal and statutory requirements & are therefore compulsory.

Standing Orders are necessary for regulating the practical arrangements & to give effect to Statutory requirements to enable the Town Council to operate effectively.

It is not possible for the Standing Orders to contain or reference all the Statutory or Legal requirements which apply to Shanklin Town Council.

The Standing Orders do not contain Financial Regulations – Financial Regulations are incorporated into a separate document adopted by the Town Council.

Once Standing Orders which are additional to those which reflect Statutory requirements have been made the Town Council is bound to observe & comply with them. (Unless they vary or suspend them by resolution).

In the following pages the word "Chair" includes "Town Mayor" & the word "Deputy Chair" includes the word "Deputy Town Mayor". In addition, where appropriate the words "he" "she" is used (he/she). For

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convenience the word "Councillor" (Cllr.) is used, & unless the context suggests otherwise, includes a non-councillor with or without voting rights.

The Chair's decision (with Town Clerk's advice) as to the application of Standing Orders at meetings shall be final.

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**1. Rules of debate at meetings**

- a. 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.
- b. A motion (including an amendment) shall not be progressed unless it has been moved and seconded.
- c. A motion on the agenda that is not moved by its proposer may be treated by the Chair of the meeting as withdrawn.

- d. If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.
- e. An amendment is a proposal to remove or add words to a motion. It shall not negate the motion.
- f. If an amendment to the original motion is carried, the original motion (as amended) becomes the substantive motion upon which further amendment(s) may be moved.
- g. 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 Chair.
- h. A Councillor may move an amendment to his 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.
- i. If there is more than one amendment to an original or substantive motion the amendments shall be moved in the order directed by the Chair of the meeting.
- j. Subject to Standing Order 1(k) below only one amendment shall be moved and debated at a time, the order of which shall be directed by the Chair of the meeting.
- k. One or more amendments may be discussed together if the Chair of the meeting considers this expedient but each amendment shall be voted on separately.
- l. A Councillor may not move more than one amendment to an original or substantive motion.
- m. The mover of an amendment has no right of reply at the end of debate on it.
- n. 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 the 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.

- o. Unless permitted by the Chair of the meeting a Councillor may speak once in the debate on a motion except:
  - i. To speak on an amendment moved by another Councillor;
  - ii. To move or speak on another amendment if the motion has been amended since he last spoke;
  - iii. To make a point of order;
  - iv. To give a personal explanation; or
  - v. In exercise of a right of reply.
- 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 other irregularity in the proceedings of the meeting he is concerned by.
- q. A point of order shall be decided by the Chair of the meeting and his decision shall be final.
- r. When a 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 no longer heard or 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; or

- ix. To suspend particular Standing Order(s) excepting those which reflect mandatory statutory requirements.
- s. 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 his right of reply.
- t. Excluding motions moved under Standing Order 1(r) above, the contributions or speeches by a Councillor shall relate only to the motion under discussion and shall not exceed 2 minutes without the consent of the Chair of the meeting.
- u. The mover of a motion or the mover of an amendment shall have a right of reply, not exceeding 2 minutes.

## **2. Disorderly conduct at meetings**

- a. No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this Standing Order is ignored, the Chair of the meeting shall request such person(s) to moderate or improve their conduct.
- b. If person(s) disregards the request of the Chair of the meeting to moderate or improve their conduct, any Councillor/s or the Chair of the meeting may move that the person be no longer heard or excluded from the meeting. The motion, if seconded shall be put to the vote without discussion.
- c. If a resolution made under Standing Order 2(b) above is ignored, the Chair of the meeting may take further reasonable steps to restore order or to progress the meeting. This may include temporarily suspending or closing the meeting.

## **3. Meetings generally**

[FCM] = Full Council meetings

[CM] = Committee meetings

[SCM] = Sub-committee meetings

- [FCM] 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.**
- [FCM] 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.**
- b.i Shanklin Town Council subscribes to best practice and aims where possible to distribute 5-7 CLEAR DAYS before a meeting (unless the law states otherwise) or this is impracticable either via post, email or in person.
- b.ii The agenda should reflect the key Motions to be resolved, especially spending ones. Agenda notes may be provided by the Town Clerk RFO to Councillors where more detail is needed to help through the meeting.
- b.iii The agenda cannot be altered once people have been notified of its contents – either added to or taken from.
- b.iv The Town Council **CANNOT MAKE SUBSTANTIVE DECISIONS OR DISCUSS MOTIONS WHICH ARE NOT ON THE AGENDA** apart from procedural ones.
- b.v To facilitate the drafting and the issue of the Agenda, Councillors must notify the Town Clerk RFO at least 10 clear days before a meeting of any items they want to appear, proposals requiring substantive decisions must be detailed and in writing. However, items for agendas are at the discretion of the Town Clerk RFO.
- b.vi If an urgent matter arises less than 10 clear days before a meeting, it must be notified to the Town Clerk who will consult with the Chair. The Chair has the discretion to accept or reject on the advice of the Town Clerk RFO such an additional item.

b.vii The non-receipt of a Notice of a meeting and Agenda by a Councillor(s) does not invalidate the meeting.

b.viii Failure to send or deliver a summons by whatever means to attend a meeting to a Councillor(s) does not automatically affect the validity of the meeting.

[CM] c. **THE MINIMUM THREE CLEAR DAYS FOR NOTICE OF A MEETING DOES NOT INCLUDE THE DAY ON WHICH THE NOTICE WAS ISSUED OR THE DAY OF THE MEETING.**

[FCCM] 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 AN AGENDA ITEM WHICH SHALL GIVE REASONS FOR THE PUBLIC'S EXCLUSION.**

d.i A agenda item to exclude could state for example:

'In view of the confidential nature of the business about to be transacted, it is advisable in the public interest that the press and public be excluded and they are instructed to withdraw'. (Note: if a person's advice or assistance is needed, they may be invited (by name) to remain after the exclusion item is read.

e. Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of **THE BUSINESS ON THE AGENDA**, at the Chair's discretion.

f. Members of the public (electors of the Town only) shall be limited to speak at public forum for no more than **3 minutes each** if more than one person wishes to speak on the same subject, they should nominate only one person to speak for 3 minutes on that subject. Public forum shall be for no more than **15 minutes in total**.

g. In accordance with Standing Order 3(e) above, a question **shall not require a response at the meeting nor start a debate** on the question. The Chair of the meeting may direct that a written response be given.

- h. [A persons shall raise his hand when requesting to speak and stand when speaking (except when a person has a disability or is likely to suffer discomfort)]. The Chair of the meeting may at any time permit a person to be seated when speaking.
- i. The person wishing to speak must identify himself to the meeting. (names will not appear in the minutes).
- j. A person who speaks at a meeting shall direct his comments to the Chair of the meeting.
- k. Only one person is permitted to speak at a time. If more than one person wants to speak, the Chair of the meeting shall direct the order of speaking.
- l. In accordance with standing order 3(e) above, a question **shall not require a response at the meeting nor start a debate** on the question.

- [FCCM] m. In line with the Government’s Open & Accountable Local Government Guide 2014 & s.40 of the Local Audit & Accountability Act 2014 members of the public may film, photograph, make sound recordings or use social media to report the proceedings of any Council meeting at which they are entitled to be present.

Persons **MAY NOT ORALLY REPORT OR COMMENT ABOUT A MEETING AS IT TAKES PLACE IF HE/SHE IS PRESENT AT THE MEETING.** A person `reporting ` **should inform the Chair they are doing so.**

- [FCCM] n. **A PERSON PRESENT AT A MEETING MAY NOT PROVIDE AN ORAL REPORT OR ORAL COMMENTARY ABOUT A MEETING AS IT TAKES PLACE WITHOUT** prior written **PERMISSION.**

- [FCCM] o. **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.**

[FC] p. **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 HIS ABSENCE BE DONE BY, TO OR BEFORE THE VICE-CHAIR OF THE COUNCIL (if there is one).** In STC's case Chair and Deputy Chair.

[FCCMSCM] q. **THE CHAIR OF THE COUNCIL, IF PRESENT SHALL PRESIDE AT A MEETING. IF THE CHAIR IS ABSENT FROM A MEETING. THE VICE-CHAIR (Deputy Chair) OF THE COUNCIL (if there is one) IF PRESENT, SHALL PRESIDE. IF BOTH THE CHAIR & THE VICE CHAIR (Deputy Chair) ARE ABSENT FROM A MEETING, A COUNCILLOR AS CHOSEN BY THE COUNCILLORS PRESENT AT THE MEETING SHALL PRESIDE AT THE MEETING.** (see different rules for election of Chair at annual Town Council meetings).

[FCCMSCM] r. **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**

[FCCMSCM] s. **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 HIS CASTING VOTE WHETHER OR NOT HE GAVE AN ORIGINAL VOTE.**

See Standing Orders 5(i) and (j) below for the different rules that apply in the election of the Chair of the Town Council at the annual meeting of the Town Council.

[FC] t. **VOTING ON A QUESTION SHALL BE BY A SHOW OF HANDS. THE VOTING ON ANY QUESTION MAY BE RECORDED SO AS TO SHOW WHETHER EACH COUNCILLOR PRESENT AND VOTING GAVE HIS VOTE FOR OR AGAINST THAT QUESTION** (or abstained). Such a request may be made before voting takes place. If the Chair & or Town Clerk RFO at any time considers it prudent to take a named voted then so be it.

u. 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 present and absent;
- iii. Interests that have been declared by Councillors and non-Councillors with voting rights (a form is appended to the filed minutes & can at times be included in the minutes themselves);
- iv. The grant of dispensations (if any) to Councillors and noncouncillors 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. Whether there was a public participation session;
- vii. The resolutions made.

[FCCMSCM] v. **A COUNCILLOR OR A NON-COUNCILLOR WITH VOTING RIGHTS WHO HAS A DISCLOSABLE PECUNIARY INTEREST OR ANOTHER INTEREST AS SET OUT IN THE TOWN COUNCIL'S CODE OF CONDUCT IN A MATTER BEING CONSIDERED AT A MEETING IS SUBJECT TO STATUTORY LIMITATIONS OR RESTRICTIONS UNDER THE CODE ON HIS RIGHT TO PARTICIPATE AND VOTE ON THAT MATTER.**

[FC] w. **NO BUSINESS MAY BE TRANSACTED AT A MEETING UNLESS AT LEAST ONE-THIRD OF THE WHOLE NUMBER OF MEMBERS OF THE TOWN COUNCIL ARE PRESENT AND IN NO CASE SHALL THE QUORUM OF A MEETING BE LESS THAN THREE.**

See Standing Order 4d(viii) below for the quorum of a committee or sub-committee meeting.

[FCCMSCM ] x. **IF A MEETING 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.

y. A meeting shall not exceed a period of 2 hours. Unless all present agree (vote) to extend to cover all the business on the agenda and aim to finish within 2.5 hours.

#### **4. Committees and sub-committees**

- a. UNLESS THE TOWN COUNCIL DETERMINES OTHERWISE, A COMMITTEE MAY APPOINT A SUB-COMMITTEE WHOSE TERMS AND REFERENCE AND MEMBERS SHALL BE DETERMINED BY THE COMMITTEE.**
- b. THE MEMBERS OF A COMMITTEE MAY INCLUDE NONCOUNCILLORS UNLESS IT IS A COMMITTEE WHICH REGULATES AND CONTROLS THE FINANCES OF THE TOWN COUNCIL.**
- c. UNLESS THE COUNCIL DETERMINES OTHERWISE, ALL THE MEMBERS OF AN ADVISORY COMMITTEE AND SUBCOMMITTEE OF THE ADVISORY COMMITTEE MAY BE NONCOUNCILLORS.**
- d.** The Town Council may appoint standing committees or other committees as may be necessary and:
  - i. Shall determine their terms of reference
  - ii. Shall determine the number and time of the ordinary meetings of a committee up until the date of the next annual meeting of full Town Council.
  - iii. Shall permit a committee, other than in respect of the ordinary meetings of a committee to determine the number and time of its meetings.
  - iv. Shall subject to Standing Orders 4(b) and (c) above, appoint and determine the terms of office of members of such a committee;

- v. May, subject to Standing Orders 4(b) and (c) above, appoint and determine the terms of office of the substitute members to a committee whose role is to replace the ordinary members at a meeting of a committee if the ordinary members of the committee confirm to the Proper Officer or in the Proper Officer's absence to the Town Mayor 5 days before the meeting that they are unable to attend;
- vi. Shall, after it has appointed the members of a standing committee, appoint the Chair of the standing committee;
- vii. Shall permit a committee other than a standing committee, to appoint its own Chair at the first meeting of the committee;
- viii. Shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which shall be no less than three;
- ix. Shall determine if the public may participate at a meeting of a committee;
- x. Shall determine if the public and press are permitted to attend the meetings of a sub-committee and also the advance public notice requirements, if any, required for the meetings of a sub-committee;
- xi. Shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
- xii. May dissolve a committee.

## **5. Ordinary Council Meetings**

- a. **IN AN ELECTION YEAR, THE ANNUAL MEETING OF THE TOWN 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 TOWN COUNCIL MEETING SHALL BE HELD ON SUCH A DAY IN MAY AS THE TOWN COUNCIL MAY DECIDE.**
  - c. **IF NO OTHER TIME IS FIXED, THE ANNUAL MEETING OF THE TOWN COUNCIL SHALL TAKE PLACE AT 18.00.**
  - d. **IN ADDITION TO THE ANNUAL MEETING OF THE TOWN COUNCIL, AT LEAST THREE OTHER ORDINARY MEETINGS SHALL BE HELD IN EACH YEAR ON SUCH DATES AND TIMES AS THE TOWN COUNCIL DIRECTS.**
  - e. **THE FIRST BUSINESS CONDUCTED AT THE ANNUAL MEETING OF THE TOWN COUNCIL SHALL BE THE ELECTION OF THE CHAIR (TOWN MAYOR) AND DEPUTY CHAIR (DEPUTY TOWN MAYOR) (IF ANY) OF THE TOWN COUNCIL.**
  - f. **THE CHAIR OF THE TOWN COUNCIL, UNLESS HE HAS RESIGNED OR BECOMES DISQUALIFIED, SHALL CONTINUE IN OFFICE AND PRESIDE AT THE ANNUAL MEETING UNTIL HIS SUCCESSOR IS ELECTED AT THE NEXT ANNUAL MEETING OF THE TOWN COUNCIL.**
- A CHAIRMAN WHO IS UP FOR RE-ELECTION AS CHAIR/TOWN MAYOR CANNOT PRESIDE OVER HIS OWN ELECTION (SEPARATE PROCEDURE).**
- g. **THE DEPUTY CHAIR/DEPUTY TOWN MAYOR OF THE TOWN COUNCIL, IF ANY, UNLESS HE RESIGNS OR BECOMES DISQUALIFIED, SHALL HOLD OFFICE UNTIL IMMEDIATELY AFTER THE ELECTION OF THE CHAIR/TOWN MAYOR OF THE TOWN COUNCIL AT THE NEXT ANNUAL MEETING OF THE TOWN COUNCIL.**
  - h. **IN AN ELECTION YEAR, IF THE CURRENT CHAIR/TOWN MAYOR OF THE TOWN COUNCIL HAS NOT BEEN RE-ELECTED AS A MEMBER OF THE TOWN COUNCIL, HE SHALL PRESIDE AT THE MEETING UNTIL A SUCCESSOR CHAIR/TOWN MAYOR OF THE TOWN COUNCIL HAS BEEN ELECTED. THE CURRENT CHAIR/TOWN MAYOR OF THE TOWN COUNCIL SHALL NOT HAVE**

**AN ORIGINAL VOTE IN RESPECT OF THE ELECTION OF THE NEW CHAIR OF THE TOWN COUNCIL BUT MUST GIVE A CASTING VOTE IN THE CASE OF AN EQUALITY OF VOTES.**

**A CHAIR WHO IS UP FOR RE-ELECTION AS CHAIR/TOWN MAYOR CANNOT PRESIDE OVER HIS OWN ELECTION (SEPARATE PROCEDURE).**

- i. **IN AN ELECTION YEAR, IF THE CURRENT CHAIR/TOWN MAYOR OF THE TOWN COUNCIL HAS BEEN RE-ELECTED AS A MEMBER OF THE TOWN COUNCIL, HE SHALL PRESIDE AT THE MEETING UNTIL A NEW CHAIR/TOWN MAYOR OF THE TOWN COUNCIL HAS BEEN ELECTED. HE MAY EXERCISE AN ORIGINAL VOTE IN RESPECT OF THE ELECTION OF THE NEW CHAIR/TOWN MAYOR OF THE TOWN COUNCIL AND MUST GIVE A CASTING VOTE IN THE CASE OF AN EQUALITY OF VOTES.**

**A CHAIR WHO IS UP FOR RE-ELECTION AS CHAIRMAN/TOWN MAYOR CANNOT PRESIDE OVER HIS OWN ELECTION (SEPARATE PROCEDURE).**

- j. Following the election of the Chair/Town Mayor of the Town Council and Deputy Town Mayor (if any) of the Town Council at the annual meeting of the Town Council, the business of the annual meeting shall include:

- i. **IN AN ELECTION YEAR, DELIVERY BY THE CHAIR/TOWN MAYOR OF THE TOWN COUNCIL AND COUNCILLORS OF THEIR ACCEPTANCE OF OFFICE FORMS UNLESS THE TOWN COUNCIL RESOLVES FOR THIS TO BE DONE AT A LATER DATE.** Shanklin Town Council Members' will sign their declaration of acceptance of office in the presence of the Town Clerk RFO before commencement of the annual Town Council meeting in an election year. **IN A YEAR WHICH IS NOT AN ELECTION YEAR, DELIVERY BY THE CHAIR/TOWN MAYOR OF THE TOWN COUNCIL OF HIS ACCEPTANCE OF OFFICE FORM UNLESS THE TOWN COUNCIL RESOLVES FOR THIS TO BE DONE AT A LATER DATE;**

And any of the following:

- ii. Confirmation if the accuracy of the minutes of the last meeting of the Town Council;
- iii. Apologies

- iv. Declarations of interest & Dispensations
- v. To elect a Deputy Town Mayor
- vi. To fix the allowance of the Town Mayor
- vii. To confirm dates and times of meetings of the Town Council
- viii. To confirm Members of committees
- ix. Register of financial and other interests
- x. Contact information
- xi. Any other matter that the Town Clerk RFO considers lawfully arisen.

**6. Extraordinary meetings of the Council and committees and sub-committees**

- a. **THE CHAIR OF THE TOWN COUNCIL MAY CONVENE AN EXTRAORDINARY MEETING OF THE TOWN COUNCIL AT ANY TIME.**
- b. **IF THE CHAIR OF THE TOWN COUNCIL DOES NOT OR REFUSES TO CALL AN EXTRAORDINARY MEETING OF THE TOWN 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 TOWN COUNCIL. THE PUBLIC NOTICE GIVING THE TIME, PLACE AND AGENDA FOR SUCH A MEETING MUST BE SIGNED BY THE TWO COUNCILLORS.**
- c. The Chair of a committee or a sub-committee may convene an extraordinary meeting of the committee or the sub-committee at any time.
- d. If the Chair of a committee or a sub-committee does not or refuses to call an extraordinary meeting within seven days of having been requested to do so by 2 members of the committee or the subcommittee,

any 2 members of the committee and the sub-committee may convene an extraordinary meeting of a committee and a subcommittee.

## **7. Previous Resolutions**

- a. A resolution shall not be reversed within six months except either by a special motion, which requires written notice by a least 7 Councillors to be given to the Proper Officer in accordance with Standing Order 9 below, or by a motion moved in pursuance of the recommendation of a committee or sub-committee.
- b. When a motion moved pursuant to Standing Order 7(a) above has been disposed of, no similar motion may be moved within a further six months.

## **8. Voting on appointments**

- a. Where more than two persons have been nominated for a position to be filled by the Town 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. A tie in votes may be settled by the casting vote exercisable by the Chair of the meeting.

## **9. Motions for a meeting that require written notice to be given to the Proper Officer**

- a. 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 Town Council's statutory functions, powers and obligations or an issue which specifically affects the Town Council's areas or its residents.
- b. 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 ten clear days before the meeting. Clear days do not include the day of the notice or the day of the meeting.
- c. The Proper Officer may, before including a (relevant) motion on the agenda received in accordance with Standing Order 9(b) above, correct obvious grammatical or typographical errors in the wording of the motion.

- d. If the Proper Officer considers the wording of a motion received in accordance with Standing Order 9(b) 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 so that it can be understood, at least ten clear days before the meeting.
- e. If the wording or subject of a proposed motion is considered improper, the Proper Officer shall consult with the Chair of the forthcoming meeting and/ or, as the case may be the Councillors who have convened the meeting to consider whether the motion shall be included in the agenda or rejected.
- f. Subject to Standing Order 9(e) above, the decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.

## **10. Motions at a meeting that do not require written notice**

- a. The following motions may be moved at a meeting without written notice to the Proper Officer:
  - i. To correct an inaccuracy in the draft minutes of a meeting;
  - ii. To move to a vote;
  - iii. To defer consideration of a motion;
  - iv. To refer a motion to a particular committee or sub-committee;
  - v. To appoint a person to preside at a meeting;
  - vi. To change the order of business on the agenda;
  - vii. To proceed to the next business on the agenda;
  - viii. To require a written report;
  - ix. To appoint a committee or sub-committee and their members;
  - x. To extend the time limits for speaking;
  - xi. To exclude the press and public from a meeting in respect of confidential sensitive information which is prejudicial to the public interest;

- xii. To not hear further from a Councillor or a member of the public;
- xiii. To exclude a Councillor or member of the public for disorderly conduct;
- xiv. To temporarily suspend the meeting
- xv. **TO SUSPEND A PARTICULAR STANDING ORDER (UNLESS IT REFLECTS MANDATORY STATUTORY REQUIREMENTS);**
- xvi. To take urgent business that cannot wait until the next agenda and not considered for an extraordinary meeting at the Chair/Proper Officers discretion at the end of the meeting;
- xvii. To adjourn the meeting;
- xviii. To close a meeting.

## **11. 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) 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.**

## **12. Draft minutes**

- a. If the draft minutes of a preceding meeting have been served on Councillors with the agenda to attend the meeting at which they are due to be approved for accuracy, they shall be taken as read.
- b. There shall be no discussion about the draft minutes of a preceding meeting except in relation to their accuracy. A motion to correct an inaccuracy in the draft minutes shall be moved in accordance with Standing Order 10(a)(i) above.
- c. The accuracy of draft minutes, including any amendment(s) made to them, shall be confirmed by resolution and shall be signed by the Chair of the meeting and stand as an accurate record of the meeting to which the minutes relate.
- d. If the chairman of the meeting 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:  
"The Chair of this meeting does 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 meeting and the minutes are confirmed as an accurate record of the proceedings".
- e. Shanklin Town Council shall publish minutes on the Town Council's website once they have been formally adopted.
- f. Subject to the publication of draft minutes in accordance with Standing Order 12(e) and Standing Order 20(a) and following resolution which confirms the accuracy of the minutes of a meeting the draft minutes and or recordings of the meeting for which approved minutes exist shall be destroyed, unless the Town Clerk feels it prudent to keep.

## **13. Code of conduct and dispensations**

See also Standing Order 3(v) above.

- a. **ALL COUNCILLORS AND NON-COUNCILLORS WITH VOTING RIGHTS SHALL OBSERVE THE CODE OF CONDUCT ADOPTED BY THE TOWN COUNCIL.**
- b. Unless they have been granted a dispensation, a Councillor or nonCouncillor with voting rights shall withdraw from a meeting when it is considering a matter in which they have a disclosable pecuniary interest. They may return to the meeting after it has considered the matter in which he had the interest.
- c. Unless they have been granted a dispensation, a Councillor or nonCouncillor with voting rights shall withdraw from a meeting when it is considering a matter in which they have another interest if so, required by the Town Council's code of conduct. They may return to the meeting after it has considered the matter in which they had the interest.
- d. **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.
- e. A decision as to whether to grant a dispensation shall be made by the Proper Officer OR (by a meeting of the Town Council, or committee or sub-committee for which the dispensation is required) and that decision is final.
- f. A dispensation request shall confirm:
  - i. the description and the nature of the disclosable pecuniary interest or other interest to which the request for the dispensation relates;
  - ii. Whether the dispensation is required to participate at a meeting in a discussion only or a discussion and a vote;
  - iii. The date of the meeting or the period (not exceeding four years) for which the dispensation is sought; and
  - iv. An explanation as to why the dispensation is sought.

- g. Subject to Standing Orders 13(d) and (f) above, dispensation requests shall be considered by the Proper Officer before the meeting or, if this is not possible, at the start of the meeting for which the dispensation is required] OR [at the beginning of the meeting of the Town Council, or committee or sub-committee for which the dispensation is required].
- h. **A DISPENSATION MAY BE GRANTED IN ACCORDANCE WITH STANDING ORDER 13(d) ABOVE IF HAVING REGARD TO ALL RELEVANT CIRCUMSTANCES THE FOLLOWING APPLIES:**
- i. **WITHOUT THE DISPENSATION THE NUMBER OF PERSONS PROHIBITED FROM PARTICIPATING IN THE PARTICULAR BUSINESS WOULD BE SO GREAT A PROPORTION OF THE MEETING TRANSACTING THE BUSINESS AS TO IMPEDED THE TRANSACTION OF THE BUSINESS OR**
  - ii. **GRANTING THE DISPENSATION IS IN THE INTERESTS OF PERSONS LIVING IN THE TOWN COUNCIL'S AREA OR**
  - iii. **IT IS OTHERWISE APPROPRIATE TO GRANT A DISPENSATION.**
  - iv. Town Clerk RFO will grant a dispensation to all Cllrs' requiring one with regard to meetings discussing adoption of budgets & the setting of the precept.

#### **14. Code of conduct complaints**

- a. Upon notification by the Isle of Wight Council that it is dealing with a complaint that a Councillor or non-Councillor with voting rights has breached the Town Council's code of conduct, the Proper Officer shall, subject to Standing Order 11 above, report this to the Town Council.
- b. Where the notification in Standing Order 14(a) above relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chair of the Town Council of this fact, and the Chair shall nominate another staff member to assume the duties of the Proper Officer in relation to the complaint until it has been determined and the Town Council has agreed what action, if any, to take in accordance with Standing Order 14(d) below.
- c. The Town Council may:

- i. Provide information or evidence where such disclosure is necessary to progress an investigation of the complaint or is a legal requirement;
  - ii. Seek information relevant to the complaint from the person or body with statutory responsibility for investigation of the matter.
- d. **UPON NOTIFICATION BY THE ISLE OF WIGHT COUNCIL THAT A COUNCILLOR OR NON-COUNCILLOR WITH VOTING RIGHTS HAS BREACHED THE TOWN COUNCILS CODE OF CONDUCT, THE TOWN COUNCIL SHALL CONSIDER WHAT, IF ANY, ACTION TO TAKE AGAINST HIM. SUCH ACTION EXCLUDES DISQUALIFICATION OR SUSPENSION FROM OFFICE.**

## **15. Proper Officer**

- a. The Proper Officer shall be either the (i) Town Clerk or (ii) other staff member(s) nominated by the Town Council to undertake the work of the Proper Officer when the Proper Officer is absent.
- b. The Proper Officer shall:
  - i. **AT LEAST THREE CLEAR DAYS** (STC endeavours to aim for 7-10 days) **BEFORE A MEETING OF THE COUNCIL, COMMITTEE** and 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.**

See standing order 3(b) above for the meaning of clear days for a meeting of a full Council and standing order 3(b) above for the meaning of clear days for a meeting of a committee.

- ii. Subject to standing order 9 include on the agenda all motions in the order received unless a Councillor has given written notice at least 6 days before the meeting confirming his withdrawal of it;
- iii. **CONVENE A MEETING OF FULL COUNCIL FOR THE ELECTION OF A NEW CHAIR (TOWN MAYOR) OF THE COUNCIL, OCCASSIONED BY A CASUAL VACANCY IN HIS OFFICE;**
- iv. **FACILITATE INSPECTION OF THE MINUTE BOOK BY LOCAL GOVERNMENT ELECTORS.**
- v. **RECEIVE AND RETAIN COPIES OF BYELAWS MADE BY OTHER LOCAL AUTHORITIES;**
- vi. Hold acceptance of office forms from Councillors;
- vii. Hold a copy of every Councillor's register of interests;
- viii. Assist with responding to requests made under the Freedom of Information legislation and rights exercisable under data protection legislation, on accordance with the Council's relevant policies and procedures.
- ix. Liaise as appropriate with the Council's Data Protection Officer.
- x. Receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- xi. Manage the organisation, storage of, access to and destruction of information held by the Council in paper and electronic form; subject to the requirements of data protection and freedom of information legislation and other legitimate requirements (e.g., the Limitation Act 1980);
- xii. Arrange for legal deeds to be executed; (see also standing order 23 below);

- xiii. Arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Town Council in accordance with its financial regulations;
- xiv. Manage access to information about the Town Council via the publication scheme; and
- xv. Retain custody of the seal of the Council (if any) which shall not be used without resolution that effect. (see also standing order 22 below).
- xvi. Manage access to information about the Town Council via the publication scheme.
- xvii. Action or undertake activity or responsibilities instructed by resolution or contained in Standing Orders.
- xviii. To act with delegated authority.

## **16. Responsible Financial Officer**

- a. The Town Council shall appoint appropriate staff member(s) to undertake the work of the Responsible Financial Officer when the Finance Officer is absent if required.

## **17. Accounts and Accounting Statements**

- a. "Proper Practices" in standing orders refer to the most recent version of Governance and Accountability for Local Councils - Practitioners Guide (Joint Panel on Accountability & Governance).
- b. All payments by the Town Council shall be authorised, approved and paid in accordance with the law, proper practices and the Town Council's financial regulations.
- c. The Responsible Financial Officer shall supply to each Town Councillor as soon as practicable quarterly statements to summarise:
  - i. The Council's receipts & payments (or income & expenditure) for each quarter;

- ii. The Council's aggregate receipts & payments (or income & expenditure) for the year to date;
  - iii. The balances held at the end of the quarter being reported.
- d. As soon as possible after the financial year end at 31 March, the Responsible Financial Officer shall provide:
  - i. Each Councillor with a statement summarising the Council's income and expenditure for the last quarter and the year to date for information; and
  - ii. To the Council the accounting statements for the year in the form of Section 1 of the annual governance and accountability return, as required by proper practices, for consideration & approval.
- e. The year-end accounting statements shall be prepared in accordance with proper practices and apply the form of accounts determined by the Council (receipts and payments, or income and expenditure) for the year to 31 March.

A completed draft annual governance and accountability return shall be presented to all Councillors prior to anticipated approval by the Council. The annual governance and accountability return to the Council, which is subject to external audit, including the annual governance statement, shall be presented to the Council for consideration and formal approval before 30<sup>th</sup> June.

## **18. Financial controls and procurement**

See Financial Regulations for all financial controls and procurement (re-adopted February 2023.)

## **19. Handling staff matters**

- a. A matter personal to a member of that is being considered by a meeting of the Council, or staffing committee or any other relevant committee is subject to standing order 11.

- b. Subject to the Town Council's policy regarding absences from work, the Town Council's most senior member of staff shall notify the Town Mayor of the Town Council or if he is not available, the Deputy Town Mayor of absence occasioned by illness or other reason and if necessary to full Council.
- c. Subject to the Town Council's policy regarding the handling of grievance matters, the Town Council's most senior employee (or other employees) shall contact Town Mayor or his absence the Deputy Town Mayor in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Town Council.
- d. Subject to the Town Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the Proper Officer relates to the Town Mayor or Deputy own Mayor, this shall be communicated another member of the Town Council, which shall be reported back and progressed by resolution of the Town Council.
- e. Any persons responsible for all or part of the management of staff shall treat the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters as confidential and secure.
- f. The Town Council shall keep all written records relating to employees secure. All paper records shall be secured and locked and electronic records shall be password protected.
- g. Only persons with the line management responsibilities shall have access to staff records referred to in standing orders 19(e) and (f) above if so justified.
- h. Matters relating to staff will be dealt with under the Council's relevant polices as appropriate to the matter under consideration.

## **20. Requests for Information**

See also Standing Order 21.

- a. Requests for information held by the Town Council shall be handled in accordance with the Town Council's policy in respect of handling requests under the Freedom of Information Act 2000 and the Data Protection Act 1998 and from 25<sup>th</sup> May 2018 the GDPR.
- b. The Town Council shall have the power to do anything to facilitate to compliance with the Freedom of Information Act 2000.

**21. Responsibilities Under Data Protection Legislation** Town Council will follow guidance under Data Protection Legislation.

See also Standing Order 11.

**22. Relations with the press/media**

- a. Requests from the press or other media for an oral or written comment or statement from the Town Council, its Councillors or staff shall be handled in accordance with the Town Council's policy in respect of dealing with the press and/or other media.

**23. Execution and sealing of legal deeds**

- a. A legal deed shall not be executed on behalf of the Town Council unless authorised by a resolution.
- b. **SUBJECT TO STANDING ORDER 23(a) ABOVE, ANY TWO COUNCILLORS MAY SIGN, ON BEHALF OF THE COUNCIL, ANY DEED REQUIRED BY LAW AND THE PROPER OFFICER SHALL WITNESS THEIR SIGNATURES.**

The above is applicable to a Council without a common seal.

**24. Restrictions on Councillor activities**

- a. Unless authorised by a resolution, no Councillor shall:
  - i. Inspect any land and/or premises which the Town Council has a right or duty to inspect; or
  - ii. Issue orders, instructions or directions.

## **25. Standing Orders Generally**

- a. All or part of a standing order, except one that incorporates mandatory statutory requirements, may be suspended by resolution in relation to the consideration of an item on the agenda for a meeting.
- b. A motion to add to or vary or revoke one or more of the Council's standing orders, except one that incorporates mandatory statutory requirements, shall be proposed by a special motion, the written notice by at least 8 councillors to be given to the Proper Officer in accordance with standing order 9 above.
- c. The Proper Officer shall provide a copy of the Town Council's standing orders to a Town Councillor as soon as possible after he has delivered his acceptance of office form.
- d. The decision of the chair of a meeting as to the application of standing orders at the meeting shall be final.

## **26. Councillors**

- a. All Members must observe the Code of Conduct at all times. Every Member on signing their declaration of acceptance of office agrees to undertake observance of the code. A copy of the code is in every Member's councillor pack.
- b. No Member shall behave in such a manner as to bring the Town Council into disrepute.
- c. All Councillors have a duty to declare interests at meetings as defined in the code of conduct.
- d. As a Councillor you have a responsibility to:
  - i. Attend meetings when summoned to do so; the notice to attend a Council meeting is, in law, a summons, because you have a duty to attend. If you cannot attend you must give the Town Clerk RFO your apologies and explanation. If you fail to attend any meetings for six months, you will automatically cease to be a Councillor unless the Council approved your reason for absence before the end of the six-month period. The onus is on the Councillor to request an extension.

- ii. Consider in advance of the meeting, the agenda and any related documents which were sent to you with the summons
- iii. Take part in meetings and consider all the relevant facts and issues on matters which require a decision including the views of others expressed at the meeting
- iv. Take part in voting and respect decisions made by the majority of those present and voting
- v. Ensure with other Councillors, that the Town Council is properly managed
- vi. Represent the whole electorate, and not just those who voted for you
- vii. There are seven principles which apply to the standards of conduct of those in public life they are shown below.

## **THE SEVEN PRINCIPLES**

**SELFLESSNESS** - Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits.

**INTEGRITY** - Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

**OBJECTIVITY** - In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

**ACCOUNTABILITY** - Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

**OPENNESS** - Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

**HONESTY** - Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

**LEADERSHIP** - Holders of public office should promote and support these principles by leadership and example.

## **27. Political Groups**

- a. Party politics should have no place in the Town Council. Town Councillors are there to serve their electorate as members of the community, and should not be side-tracked by party political issues. Party politics encroaching on Town Council meetings and issues will not be tolerated by the Town Council as a whole.

## **28. The Annual Town Meeting**

- a. This is a meeting of all the local government electors for the Town it is not a meeting of the Town Council.
- b. **THE ANNUAL TOWN MEETING HAS TO BE CALLED BY LAW BETWEEN MARCH 1<sup>st</sup> AND JUNE 1<sup>st</sup> (INCLUSIVE) ONCE A YEAR. IT MUST NOT BE HELD BEFORE 18.00. IT MAY BE CALLED EITHER BY: THE TOWN MAYOR, TWO TOWN COUNCILLORS, SIX TOWN ELECTORS.**

## **29. Respect**

- a. Councillors & Staff are expected to treat each other with respect at all times in and out of meetings.
- b. Bullying and or harassment of any persons will not be tolerated by the Town Council and any necessary action will be taken. (see the Councils Policies on Bullying & Harassment and Member & Officer Protocol).
- c. The Town Council has signed up to the Civility & Respect Pledge.

## **30. Standing Orders to be given to Members**

- a. A copy of these standing orders shall be given to each member by the Town Clerk upon delivery to her of the member's declaration of acceptance of office and when changes are made and adopted.
- b. The ruling of the Chair as to the construction or application of any of these standing orders, or as to any proceedings of the Town Council, shall not be challenged at any meeting of the Town Council or any of its Committees, Sub-Committees or Working Parities.
- c. These standing orders were reviewed and adopted by Shanklin Town Council at its meeting in February 2023. and in so doing Members agree to abide by them.