



Bridport  
Town Council

**Bridport Town Council**

**Standing Orders**

**Adopted June 2023**

Rules of debate at meetings.....	3
Disorderly conduct at meetings .....	5
Meetings generally .....	5
Committees and sub-committees .....	8
Ordinary council meetings .....	9
Extraordinary meetings of the council, committees and sub-committees .....	12
Previous resolutions .....	12
Voting on appointments.....	12
Motions for a meeting that require written notice to be given to the proper officer .....	12
Motions at a meeting that do not require written notice.....	13
Management of information.....	14
Draft minutes.....	15
Code of conduct and dispensations.....	15
Code of conduct complaints .....	16
Proper officer.....	17
Responsible financial officer .....	19
Accounts and accounting statements .....	19
Financial controls and procurement.....	20
Handling staff matters .....	21
Responsibilities to provide information .....	21
Responsibilities under data protection legislation .....	22
Relations with the press/media.....	22
Execution and sealing of legal deeds .....	22
Communicating with district and county or unitary councillors .....	23
Restrictions on councillor activities .....	23
Standing orders generally .....	23

#### Appendix 1

Scheme of Delegation and Committee Terms of Reference

#### Appendix 2

Neighbourhood Plan JCC Terms of Reference

## **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- c A motion on the agenda that is not moved by its proposer may be treated by the chair of the meeting as withdrawn.
- d If a motion (including an amendment) has been seconded, it may be withdrawn by the proposer only with the consent of the seconder and the meeting.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/her/their own motion if agreed by the meeting. If a motion has already been seconded, the amendment shall be with the consent of the seconder and the meeting.
- 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), 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 upon 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 debate on 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/she/they last spoke;
  - iii. to make a point of order;
  - iv. to give a personal explanation; or
  - v. to exercise a right of reply.
- p During the debate on 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/she/they considers has been breached or specify the other irregularity in the proceedings of the meeting he/she/they is concerned by.
- q A point of order shall be decided by the chair of the meeting and his/her/their 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 or legal 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/her/their right of reply.
- t Excluding motions moved under standing order 1(r), the contributions or speeches by a councillor shall relate only to the motion under discussion and shall not exceed five minutes without the consent of the chair of the meeting.

## 1. 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) disregard the request of the chair of the meeting to moderate or improve their conduct, any councillor or the chair of the meeting may move that the person be no longer heard or be 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) 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.

## 2. MEETINGS GENERALLY

Full Council meetings	●
Committee meetings	●
Sub-committee meetings	●

- a **Meetings shall not take place in premises which at the time of the meeting are used for the supply of alcohol, unless no other premises are available free of charge or at a reasonable cost.**
- b **The minimum three clear days for notice of a meeting does not include the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning.**
- c The minimum three clear days' public notice of a meeting does not include the day on which the notice was issued or the day of the meeting.
- d **Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.**
- e Except in the case of the Annual Town Council Meeting, for a designated period of time prior to meetings, members of the public may make representations, answer questions and give evidence pertaining to that meeting which they are entitled to attend, in respect of the business on the agenda.
- f The period of time designated for public participation prior to a meeting in accordance with standing order 3(e) shall not exceed 45 minutes for a Full

- Council meeting, or 30 minutes for a committee or sub-committee meeting, unless directed by the chair of the meeting.
- g Subject to standing order 3(f), a member of the public shall not speak for more than three minutes.
  - h In accordance with standing order 3(e), 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 or oral response be given.
  - i A person shall raise his/her/their 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.
  - j A person who speaks at a meeting shall direct his/her/their 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 **Subject to standing order 3(m), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.**
  - m **A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.**
  - n **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.**
  - o **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/her/their absence be done by, to or before the Vice-Chair of the Council (if there is one).**
  - p **The Chair of the Council, if present, shall preside at a meeting. If the Chair is absent from a meeting, the Vice-Chair of the Council (if there is one) if present, shall preside. If both the Chair and the Vice-Chair are absent from a meeting, a councillor as chosen by the councillors present at the meeting shall preside at the meeting.**
  - q **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.**

- r **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/her/their casting vote whether or not he/she/they gave an original vote.**

*See standing orders 5(h) and (i) for the different rules that apply in the election of the Chair of the Council at the annual meeting of the Council.*

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

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

- i. the time and place of the meeting;
- ii. the names of councillors who are present and the names of councillors who are absent;
- iii. interests that have been declared by councillors and non-councillors with voting rights;
- iv. the grant of dispensations (if any) to councillors and non-councillors with voting rights;
- v. whether a councillor or non-councillor with voting rights left the meeting when matters that they held interests in were being considered;
- vi. if there was a public participation session; and
- vii. the resolutions made.

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

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

*See standing order 4d(vi) for the quorum of a committee or sub-committee meeting.*

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

- x A meeting shall not exceed a period of two hours, unless authorised by a resolution at that meeting.

### **3. COMMITTEES AND SUB-COMMITTEES**

- a **Unless the Council determines otherwise, a committee may appoint a sub-committee whose terms of reference and members shall be determined by the committee.**
- b **The members of a committee may include non-councillors unless it is a committee which regulates and controls the finances of the Council.**
- c **Unless the Council determines otherwise, all the members of an advisory committee and a sub-committee of the advisory committee may be non-councillors.**
- d The 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 standing committee up until the date of the next annual meeting of the 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), appoint and determine the terms of office of members of such a committee;
  - v. shall permit a committee to appoint its own chair, and if desired its own vice-chair at the first meeting of the committee;
  - vi. shall determine the place, notice requirements and quorum for a meeting of a committee and a sub-committee which, in both cases, shall be no less than three;
  - vii. shall determine if the public may participate at a meeting of a committee;
  - viii. 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;
  - ix. shall determine if the public may participate at a meeting of a sub-committee that they are permitted to attend; and
  - x. may dissolve a committee or a sub-committee.



#### **4. ORDINARY COUNCIL MEETINGS**

- 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 councillors elected take office.**
- b **In a year which is not an election year, the annual meeting of the Council shall be held on such day in May as the Council decides.**
- c **If no other time is fixed, the annual meeting of the Council shall take place at 7pm.**
- d **In addition to the annual meeting of the Council, at least three other ordinary meetings shall be held in each year on such dates and times as the Council decides.**
- e **The first business conducted at the annual meeting of the Council shall be the election of the Chair and Vice-Chair (if there is one) of the Council.**
- f **The Chair of the Council, unless he/she/they has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his/her/their successor is elected at the next annual meeting of the Council.**
- g **The Vice-Chair of the Council, if there is one, unless he/she/they resigns or becomes disqualified, shall hold office until immediately after the election of the Chair of the Council at the next annual meeting of the Council.**
- h **In an election year, if the current Chair of the Council has not been re-elected as a member of the Council, he/she/they shall preside at the annual meeting until a successor Chair of the Council has been elected. The current Chair of the Council shall not have an original vote in respect of the election of the new Chair of the Council but shall give a casting vote in the case of an equality of votes.**
- i **In an election year, if the current Chair of the Council has been re-elected as a member of the Council, he/she/they shall preside at the annual meeting until a new Chair of the Council has been elected. He/she/they may exercise an original vote in respect of the election of the new Chair of the Council and shall give a casting vote in the case of an equality of votes.**
- j **Following the election of the Chair of the Council and Vice-Chair (if there is one) of the Council at the annual meeting, the business shall include:**
  - i. **In an election year, delivery by the Chair of the Council and councillors of their acceptance of office forms unless the Council resolves for this to be done at a later date. In a year which is not an election year, delivery by the Chair of the Council of his/her/their**

**acceptance of office form unless the Council resolves for this to be done at a later date;**

- ii. Election of a Leader of the Council, and receipt of their declaration of acceptance of office;
  - iii. Confirmation of the accuracy of the minutes of the last meeting of the Council;
  - iv. Receipt of the minutes of the last meeting of a committee;
  - v. Consideration of the recommendations made by a committee;
  - vi. Review of delegation arrangements to committees, sub-committees, staff and other local authorities;
  - vii. Review of the terms of reference for committees;
  - viii. Appointment of members to existing committees;
  - ix. Appointment of any new committees in accordance with standing order 4;
  - x. Review and adoption of appropriate standing orders and financial regulations;
  - xi. In an election year, to make arrangements with a view to the Council becoming eligible to exercise the general power of competence in the future;
  - xii. Determining the time and place of ordinary meetings of the Council, and its committees and sub-committees, up to and including the next annual meeting of the Council.
- k At every other ordinary Council or committee meeting, the order of business shall be as follows:
- i. Prior to the commencement of the meeting, a period of time as set out in standing order 3(f) shall be set aside for an Open Public Forum. At a Full Council meeting this will be in two parts; a public discussion on a topic of current interest, and public questions or statements, primarily in respect of items on the agenda but also in the interests of wider public discussion. The Chairman shall have discretion to determine whether issues raised meet either of these criteria;
  - ii. Receipt of apologies for absence;
  - iii. Receipt of declarations of interest;
  - iv. Noting of Dispensations agreed by the Town Clerk in respect of this agenda prior to the meeting, and determination of any additional Dispensations requested at this meeting in respect of this agenda;
  - v. Approval and signing of the minutes of the last meeting;

- vi. Receipt and consideration of any questions from councillors, provided such questions are notified to the Proper Officer, in writing, at least two clear days before the meeting;
  - vii. Receipt and adoption of reports and minutes of, and consideration of recommendations from, committees, sub-committees and working groups as appropriate;
  - viii. Consideration of any other business specified in the summons to the meeting;
  - ix. Receipt of such communications as the Town Mayor, Leader, and Proper Officer may wish to lay before the Council;
  - x. The order of business at a meeting may, with the permission of the Chairman, be varied, on the grounds of urgency or convenience.
- l Prior to the penultimate Town Council meeting of the municipal year, the Proper Officer shall invite all members to submit nominations for the posts of Town Mayor, Deputy Mayor and Leader of the Council. The nominations received are then reported to the penultimate meeting of the Council in the municipal year, as a public agenda item. At that meeting, the Council to be invited to approve its preferred candidates to go forward to the Annual Town Council meeting (Mayor Making), where the elections to these posts shall take place.
  - m In a year where there are Town Council elections a preferred candidate for any of the posts referred to in (1) above is not chosen and nominations shall be sought immediately following the elections, and voted upon at the Annual Town Council meeting. The Town Mayor and Deputy Town Mayor will be elected at the Annual Town Council meeting but the Mayor making and civic reception shall take place at a separate ceremony.
  - n The Town Clerk shall each year, prior to the Annual Town Council meeting, seek nominations from all councillors as to their preferences for committee, sub committee and standing working group memberships. Each member shall be entitled to serve on at least one main committee.
  - o The Town Clerk, in consultation with representatives of all political groups on the Council, shall seek to give effect to members' wishes and constitute member level bodies in line with the political balance of the Council, as far as possible. The proposed memberships to be reported for approval to the Annual Meeting of the Town Council.
  - p The Leader of the Town Council shall be an ex-officio member of every Committee and sub Committee and if so chooses can exercise the right to vote.

## **5. EXTRAORDINARY MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES**

- a **The Chair of the Council may convene an extraordinary meeting of the Council at any time.**
- b **If the Chair of the Council does not call an extraordinary meeting of the Council within seven days of having been requested in writing to do so by two councillors, any two councillors may convene an extraordinary meeting of the Council. The public notice giving the time, place and agenda for such a meeting shall be signed by the two councillors.**
- 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 call an extraordinary meeting within seven days of having been requested to do so by two members of the committee or the sub-committee, any two members of the committee or the sub-committee may convene an extraordinary meeting of the committee or a sub-committee.

## **6. PREVIOUS RESOLUTIONS**

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

## **7. VOTING ON APPOINTMENTS**

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

## **8. 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 for which it is tabled and in any event shall relate to the performance of the Council's statutory

functions, powers and obligations or an issue which specifically affects the Council's area or its residents.

- 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 on or before 12.00pm on the same day of the previous week of the meeting.
- c The Proper Officer may, before including a motion on the agenda received in accordance with standing order 9(b), 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) is not clear in meaning, the motion shall be rejected until the mover of the motion resubmits it, so that it can be understood, in writing, to the Proper Officer at least three 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 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 The decision of the Proper Officer as to whether or not to include the motion on the agenda shall be final.
- g Motions received shall be recorded and numbered in the order that they are received.
- h Motions rejected shall be recorded with an explanation by the Proper Officer of the reason for rejection.

## **9. 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 or other 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 or legal requirements);
- xvi. to adjourn the meeting; or
- xvii. to close the meeting.

## **10. MANAGEMENT OF INFORMATION**

*See also standing order 20.*

- 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.**

## 11. DRAFT MINUTES

Full Council meetings	●
Committee meetings	●
Sub-committee meetings	●

- 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).
- 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 chair of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he/she/they 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/her/their view was not upheld by the meeting and the minutes are confirmed as an accurate record of the proceedings.”
- ● ● e **If the Council’s gross annual income or expenditure (whichever is higher) does not exceed £25,000, it shall publish draft minutes on a website which is publicly accessible and free of charge not later than one month after the meeting has taken place.**
- f Subject to the publication of draft minutes in accordance with standing order 12(e) and standing order 20(a) and following a resolution which confirms the accuracy of the minutes of a meeting, the draft minutes or recordings of the meeting for which approved minutes exist shall be destroyed.

## 12. CODE OF CONDUCT AND DISPENSATIONS

*See also standing order 3(u).*

- a All councillors and non-councillors with voting rights shall observe the code of conduct adopted by the Council.
- b Unless he/she/they has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he/she/they has a disclosable pecuniary interest.

He/she/they may return to the meeting after it has considered the matter in which he/she/they had the interest.

- c Unless he/she/they has been granted a dispensation, a councillor or non-councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he/she/they has another interest if so required by the Council's code of conduct. He/she/they may return to the meeting after it has considered the matter in which he/she/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 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), a dispensation request 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.
- h **A dispensation may be granted in accordance with standing order 13(e) if having regard to all relevant circumstances any of the following apply:**
  - i. **without the dispensation the number of persons prohibited from participating in the particular business would be so great a proportion of the meeting transacting the business as to impede the transaction of the business;**
  - ii. **granting the dispensation is in the interests of persons living in the Council's area; or**
  - iii. **it is otherwise appropriate to grant a dispensation.**

### **13. CODE OF CONDUCT COMPLAINTS**

- a Upon notification by the District or Unitary Council that it is dealing with a complaint that a councillor or non-councillor with voting rights has breached the Council's code of conduct, the Proper Officer shall, subject to standing order 11, report this to the Council.



- b Where the notification in standing order 14(a) relates to a complaint made by the Proper Officer, the Proper Officer shall notify the Chair of 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 Council has agreed what action, if any, to take in accordance with standing order 14(d).
- c The Council may:
  - i. provide information or evidence where such disclosure is necessary to investigate 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 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.**

## 14. PROPER OFFICER

- a The Proper Officer shall be either (i) the Town Clerk or (ii) other staff member(s) nominated by the 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 before a meeting of the council, a committee or a sub-committee,**
    - **serve on councillors by delivery or post at their residences or by email authenticated in such manner as the Proper Officer thinks fit, a signed summons confirming the time, place and the agenda (provided the councillor has consented to service by email), and**
    - **Provide, in a conspicuous place, public notice of the time, place and agenda (provided that the public notice with agenda of an extraordinary meeting of the Council convened by councillors is signed by them).**

*See standing order 3(b) for the meaning of clear days for a meeting of a full council and standing order 3(c) 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 three days before the meeting confirming his/her/their withdrawal of it;
  - iii. **convene a meeting of the Council for the election of a new Chair of the Council, occasioned by a casual vacancy in his/her/their 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 freedom of information legislation and rights exercisable under data protection legislation, in accordance with the Council's relevant policies and procedures;
- ix. liaise, as appropriate, with the Council's Data Protection Officer (if there is one);
- x. receive and send general correspondence and notices on behalf of the Council except where there is a resolution to the contrary;
- xi. assist in the organisation of, storage of, access to, security of 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*);
- xiii. arrange or manage the prompt authorisation, approval, and instruction regarding any payments to be made by the Council in accordance with its financial regulations;
- xiv. record every planning application notified to the Council and the Council's response to the local planning authority in a book for such purpose;
- xv. refer a planning application received by the Council to the Chair or in his/her/their absence Vice-Chair (if there is one) of the Planning Committee within two working days of receipt to facilitate an extraordinary meeting if the nature of a planning application requires consideration before the next ordinary meeting of the Planning Committee;
- xvi. manage access to information about the Council via the publication scheme; and
- xvii. retain custody of the seal of the Council (if there is one) which shall not be used without a resolution to that effect.  
(see also *standing order 23*).

## **15. RESPONSIBLE FINANCIAL OFFICER**

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

## **16. ACCOUNTS AND ACCOUNTING STATEMENTS**

- a “Proper practices” in standing orders refer to the most recent version of “Governance and Accountability for Local Councils – a Practitioners’ Guide”.
- b All payments by the Council shall be authorised, approved and paid in accordance with the law, proper practices and the Council’s financial regulations.
- c The Responsible Financial Officer shall supply to each councillor as soon as practicable after 30 June, 30 September and 31 December in each year a statement to summarise:
  - i. the Council’s receipts and payments (or income and expenditure) for each quarter;
  - ii. the Council’s aggregate receipts and payments (or income and expenditure) for the year to date;
  - iii. the balances held at the end of the quarter being reported and which includes a comparison with the budget for the financial year and highlights any actual or potential overspends.
- 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 receipts and payments (or 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 2 of the annual governance and accountability return, as required by proper practices, for consideration and 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 at least six days prior to anticipated approval by the Council. The annual governance and accountability return of 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 June.

## 17. FINANCIAL CONTROLS AND PROCUREMENT

- a. The Council shall consider and approve financial regulations drawn up by the Responsible Financial Officer, which shall include detailed arrangements in respect of the following:
  - i. the keeping of accounting records and systems of internal controls;
  - ii. the assessment and management of financial risks faced by the Council;
  - iii. the work of the independent internal auditor in accordance with proper practices and the receipt of regular reports from the internal auditor, which shall be required at least annually;
  - iv. the inspection and copying by councillors and local electors of the Council's accounts and/or orders of payments; and
  - v. whether contracts with an estimated value below **£25,000** due to special circumstances are exempt from a tendering process or procurement exercise.
- b. Financial regulations shall be reviewed regularly and at least annually for fitness of purpose.
- c. **A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £25,000 but less than the relevant thresholds referred to in standing order 18(f) is subject to the "light touch" arrangements under Regulations 109-114 of the Public Contracts Regulations 2015 unless it proposes to use an existing list of approved suppliers (framework agreement).**
- d. Subject to additional requirements in the financial regulations of the Council, the tender process for contracts for the supply of goods, materials, services or the execution of works shall include, as a minimum, the following steps:
  - i. a specification for the goods, materials, services or the execution of works shall be drawn up;
  - ii. an invitation to tender shall be drawn up to confirm (i) the Council's specification (ii) the time, date and address for the submission of tenders (iii) the date of the Council's written response to the tender and (iv) the prohibition on prospective contractors contacting councillors or staff to encourage or support their tender outside the prescribed process;
  - iii. the invitation to tender shall be advertised in a local newspaper and in any other manner that is appropriate;
  - iv. tenders are to be submitted in writing in a sealed marked envelope addressed to the Proper Officer;
  - v. tenders shall be opened by the Proper Officer in the presence of at least one councillor after the deadline for submission of tenders has passed;

- vi. tenders are to be reported to and considered by the appropriate meeting of the Council or a committee or sub-committee with delegated responsibility.
- e. Neither the Council, nor a committee or a sub-committee with delegated responsibility for considering tenders, is bound to accept the lowest value tender.
- f. **Where the value of a contract is likely to exceed the threshold specified by the Office of Government Commerce from time to time, the Council must consider whether the Public Contracts Regulations 2015 or the Utilities Contracts Regulations 2016 apply to the contract and, if either of those Regulations apply, the Council must comply with procurement rules. NALC's procurement guidance contains further details.**
- g. Every decision to award a contract shall have regard to the Council's Ethical Decision-Making Policy.

## **18. HANDLING STAFF MATTERS**

- a. A matter personal to a member of staff that is being considered by a meeting of the Finance & General Purposes Committee is subject to standing order 11.
- b. The Leader of the Council shall conduct a review of the performance and annual appraisal of the work of the Proper Officer. The reviews and appraisal shall be reported to the Finance & General Purposes Committee.
- c. Grievance and disciplinary matters will be dealt with in accordance with the Council's adopted policies.
- d. Any persons responsible for all or part of the management of staff shall treat as confidential the written records of all meetings relating to their performance, capabilities, grievance or disciplinary matters.
- e. In accordance with standing order 11(a), persons with line management responsibilities shall have access to staff records referred to in standing order 19(d).

## **19. RESPONSIBILITIES TO PROVIDE INFORMATION**

*See also standing order 21.*

- 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.**

## **20. RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION**

*See also standing order 11.*

- a The Council may appoint a Data Protection Officer.
- b **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his/her/their 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.**

## **21. RELATIONS WITH THE PRESS/MEDIA**

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

## **22. EXECUTION AND SEALING OF LEGAL DEEDS**

*See also standing orders 15(b)(xii) and (xvii).*

- a A legal deed shall not be executed on behalf of the Council unless authorised by a resolution.
- b **Subject to standing order 23(a), the Council's common seal shall alone be used for sealing a deed required by law. It shall be applied by the Proper Officer in the presence of two councillors who shall sign the deed as witnesses.**

## **23. COMMUNICATING WITH DISTRICT AND COUNTY OR UNITARY COUNCILLORS**

- a An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the ward councillor(s) of the District and County Council OR Unitary Council representing the area of the Council.

## **24. RESTRICTIONS ON COUNCILLOR ACTIVITIES**

- a. Unless duly authorised no councillor shall:
  - i. inspect any land and/or premises which the 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 or legal 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 or legal requirements, shall be proposed by a special motion, the written notice by at least three councillors to be given to the Proper Officer in accordance with standing order 9.
- c The Proper Officer shall provide a copy of the Council's standing orders to a councillor as soon as possible.
- d The decision of the chair of a meeting as to the application of standing orders at the meeting shall be final.

## **BRIDPORT TOWN COUNCIL**

### **SCHEME OF DELEGATION AND COMMITTEE TERMS OF REFERENCE**

#### **Finance and General Purposes Committee (9 members)**

This Committee has delegated power to decide all matters required to be determined by members (including all policy, personnel and financial matters) except those issues within the remit of the Planning Committee, the Environment & Social Wellbeing Committee, the Neighbourhood Plan Joint Councils Committee, and those matters which are reserved for decision by Full Council. The Committee will consider and make recommendations to the full Council on the following matters:

- issuing a precept and borrowing of money.
- approval of capital and revenue estimates.
- matters of policy or new issues of importance.
- appointment of representatives to outside bodies.

The following report to the Committee:

- Best Value and Scrutiny Sub Committee
- Market and Business Liaison Working Group.

The committee may appoint time-limited working groups, including but not limited to:

- Budget Working Group
- Standing Orders Working Group
- Town Council Plan Working Group

#### **Planning Committee (9 members)**

The Committee has delegated power to make observations to the Local Planning Authority and other relevant bodies, on planning applications, planning strategy/policy, and like matters. The Committee also considers matters relating to the Bridport Area Neighbourhood Plan, and proposals for traffic regulation and associated highways issues.

The committee may appoint time-limited working groups.

#### **Environment and Social Wellbeing Committee (9 members)**

The purpose of the Environment & Social Wellbeing Committee is to protect and enhance the town's natural and built environment, to provide a pleasant environment for residents and visitors, and to promote the adequate provision of housing, health & environmental services & related facilities, as well as exercising our influence to support reducing crime and disorder.

The Environment & Social Wellbeing Committee shall consider the following issues:

- Auditing of all BTC activities, resources and consumables
- Protecting and enhancing the town's natural and built environment



- Developing an attractive environment in the town for residents and visitors
- Supporting where possible adequate provision of health, housing and social services
- Promoting adequate provision of environmental facilities and services
- Supporting organisations that contribute to the cultural life and diversity of Bridport and West Bay
- Working closely with the police and other organisations to reduce crime and anti-social behaviour, secure convictions, and assist in improving public perceptions & confidence in policing, in so far as it is possible within BTC's sphere of influence
- Increasing awareness in the public and on the Town Council of environmental, social and cultural issues and events
- Working with other organisations and partners to influence where possible the provision of health and social services; affordable housing; public toilets; street cleaning, litter maintenance and bins; rubbish collections; kerb-side recycling, waste transfer facilities, seagulls, reduction of fly-posting, and related matters
- Reviewing traffic, parking, and pedestrian issues in relation to town environment\*
- Liaising with WATAG on such issues as stabilising bus timetables; timetable awareness,\*

\* To be carried out in conjunction with the Planning Committee

The following report to the Committee:

- Climate Action Sub Committee

The committee may appoint time-limited working groups.

### **Neighbourhood Plan Joint Committee (1 member plus 1 reserve)**

The Joint Committee, of all councils participating in the Neighbourhood Plan, has overall responsibility for the delivery, monitoring and review of the Bridport Area Neighbourhood Plan.

A main member and a reserve member will represent Bridport Town Council, elected from the membership of the Town Council's Planning Committee.

Decisions of the Joint Councils Committee shall be confirmed by the Planning Committee, or by Full Council.

The full terms of reference for the Joint Councils Committee are shown at Appendix 2.

## **SUB COMMITTEE TERMS OF REFERENCE**

### **Best Value & Scrutiny Sub-Committee (9 members)**

The purpose of the sub-committee is to keep under review the corporate governance of the Town Council, including audit arrangements and to scrutinise the performance of the Town Council in this area and in the delivery of its services. The sub-committee also determines or recommends grant awards.

The sub-committee shall:

- Receive regular reports on Audit matters and all related corporate governance issues to ensure that adequate control systems are in place to manage the Town Council effectively and in accordance with legal requirements and the advice of the Audit Commission
- Maintain an overview of the Town Council's key control measures e.g. Standing Orders, Financial Regulations and Members Code of Conduct
- Monitor the effective development and operation of risk management
- Receive reports from the Internal Auditor and monitor the implementation of the Annual Audit Plan
- Approve, or recommend approval of, grant awards by the Town Council

The Sub Committee shall report to the Finance and General Purposes Committee.

**Staffing Appeals Sub Committee (3 members and 3 Deputies drawn from Finance and General Purposes Committee)**

The Sub Committee considers and determines appeals, in line with the Town Council's Disciplinary and Grievance Procedures.

The Sub Committee shall report to the Finance and General Purposes Committee.

**Climate Action Sub Committee (5 members)**

The Sub Committee's remit is to deliver the Town Council's Climate Emergency Action Plan.

The sub committee has delegation to incur expenditure within any budget allocation for the Climate Emergency Action Plan, up to a limit of £5,000 for any individual item, project or contract. Expenditure above this limit must be approved by the parent committee or by the Full Council.

The Sub Committee shall report to the Environment & Social Wellbeing Committee.

**WORKING GROUPS**

Where Working Groups are established, they are advisory bodies only with no delegated decision-making powers. All members are able to attend working group meetings.

The following are Standing Working Groups of the Council:

### **Market and Business Liaison Working Group (5 members)**

(Plus members from the Bridport Chamber of Trade and Commerce, the Federation of Small Businesses, Totally Locally Bridport, Bridport & District Tourism Association, Bridport Local Area Partnership, a Market Trader representative and such other stakeholders as agreed by the Finance & General Purposes Committee).

The purpose of the Market and Business Liaison Working Group is to oversee and review the operation, marketing and promotion of the Bridport Street Market, to continue the good relationships established with the business community and market stallholders and to develop a dialogue with local businesses. This will include the development of specific project proposals, to enhance the market and liaison with local businesses. Any resulting potential projects are to be considered for inclusion in the Town Council Plan.

The Working Group shall report to the Finance and General Purposes Committee.

Other ad hoc working groups may be created as required by Full Council, committees or sub-committees.

Full Council, committees and sub-committees may also create task and finish working groups, optionally with membership from external bodies. These will have town councillor representation, and will submit reports/recommendations to the Council, but are not part of the member-only committee structure. The following are currently in operation:

- Town Centre Working Group
- Community Bus Working Group
- Community Governance Working Group
- Foundry Lea Working Group

The Town Council may also provide administrative support to working groups on behalf of other bodies, and BTC representation is agreed separately from the appointment of committees, sub committees and working groups. The following are currently supported:

- All Bridport Local Area Partnership meetings
- St Michael's Working Group

### **DELEGATIONS TO TOWN CLERK**

The Town Clerk is designated and authorised to act as Proper Officer for the purposes of all relevant sections of the Local Government Act 1972 and any other statute requiring the designation of a Proper Officer.

The Town Clerk is authorised to undertake the following functions:

1. To sign documents on behalf of the Council.
2. To institute and appear in any legal proceedings authorised by the Council.

3. To manage the Council staff in accordance with the Council's policies, procedures and budget, including:-

- a) making appointments to posts, where not reserved for appointment by members
- b) the appointment of temporary employees
- c) staff performance and discipline
- d) payment of expenses and allowances in accordance with the Council's scheme
- e) the approval of increments
- f) payment of salaries, and implementation of national pay awards and conditions of service in line with the National Joint Council Scheme of Conditions of Service (the 'Green Book') as amended by any Local Agreement

The establishment of new posts and any changes to posts, or terms and conditions, which would have implications for the budget, shall be subject to approval by the Finance and General Purposes Committee.

4. To manage all the Town Council's services and property in line with the budgets and policies approved by members.

5. To act as the Council's designated officer for the purposes of the Freedom of Information Act 2000.

6. To be responsible for specified financial and contractual functions designated within Financial Procedure Rules. (As from 23 January 2018, the Town Council's Responsible Financial Officer under Section 151 of the Local Government Act 1972 is the Finance & Office Manager).

7. To authorise expenditure within limits prescribed in the Council's Financial Regulations, provided that any action taken complies with those Regulations, and any legislative provisions.

The Town Clerk shall delegate day to day management of functions and services to the Town Surveyor, Finance & Office Manager, TIC Manager or Project Manager & Community Initiatives Officers, in line with the approved duties of these posts, as agreed by the Council.

### **Urgency Matters**

Subject to consultation with either the Leader of the Council, Town Mayor, Deputy Town Mayor or the relevant Committee Chairman, the Town Clerk is authorised to act on behalf of the Council on any matter where urgent action is needed to protect the interests of the Town Council. Any such action to be reported to the next meeting of the Council or relevant committee.

In the event that it is not possible to meet this requirement, as happened with the Covid-19 pandemic in 2020, and if it is not possible to convene a meeting of the council in a reasonable time, the Clerk shall have delegated authority to make decisions on behalf of the council where such decision cannot reasonably be deferred and must be made in order to comply with a commercial or statutory deadline. This will be carried out where possible by consultation with members by electronic means or telephone. The clerk will further consult with the Chairman, Leader, or Committee/Sub Committee Chairman for guidance as necessary. The delegation does not extend to matters expressly reserved to the council in legislation or in its Standing Orders or Financial Regulations. Any decisions made under this delegation must be recorded in writing and must be published in accordance with the relevant regulations. This delegated authority ceases upon the first meeting of the council after the council meeting at which the delegation was put in place.

In cases of extreme risk to the delivery of council services, the Town Clerk, in consultation with the Chairman, may authorise revenue expenditure on behalf of the council which in the clerk's judgement it is necessary to carry out. Such expenditure includes repair, replacement or other work, whether or not there is any budgetary provision for the expenditure, subject to a limit prescribed by the Council's Financial Regulations. The Clerk shall report such action to the council as soon as practicable thereafter.

### **Absence of the Town Clerk**

In the absence of the Town Clerk, the Town Surveyor shall be authorised to deputise and undertake any of the functions of that post.

# **Neighbourhood Plan Joint Councils Committee Terms of Reference**

## **1. Name**

1.1. Bridport Area Neighbourhood Plan Joint Councils Committee (NPJCC).

## **2. Purpose**

2.1. The NPJCC shall have overall responsibility for the delivery, monitoring and review of the Bridport Area Neighbourhood Plan.

2.2. All decisions of the NPJCC that:

2.2.1. seek to change the NP or NP projects; or

2.2.2. seek to change these terms of reference

2.3. shall require the approval of all participating councils.

## **3. Membership**

3.1. The membership shall comprise five primary members, one appointed by each of the participating councils from its own membership.

3.2. Each participating council shall also appoint one reserve member from amongst its membership, who may carry out the role of the primary member in their absence.

3.3. Each council's nominated primary and reserve members shall serve for the term of the participating council, except where changed by a decision of that council.

## **4. Roles**

4.1. To agree and maintain the membership of a Steering Group that will support the work of the NPJCC, and to consider recommendations of the Steering Group.

4.2. To monitor the overall effectiveness of the Plan over the preceding 12 months, and the likely implications and impact of the Plan for the subsequent year, an annual monitoring report will be prepared by Bridport Town Council, in accordance with agreed criteria, in liaison with the BANP & parishes, and the Steering Group.

- 4.3. This monitoring report will be presented to the JCC for consideration and will include:
- 4.3.1. The effectiveness of the policies in the BANP when assessing and determining planning applications.
  - 4.3.2. Any changes in national planning policy that could supersede the policies in the BANP.
  - 4.3.3. The implications of any emerging Local Plan and/or Review thereof.
  - 4.3.4. The latest statistical information such as the most recent Housing Needs Assessment.
  - 4.3.5. A report on funding of the remaining BANP project list items that do not qualify for CIL funding.
  - 4.3.6. Any changing circumstances in the Plan area.
  - 4.3.7. Annual updating of the Community Infrastructure Levy (CIL) project list from each of the contributing parishes.
- 4.4. The NPJCC will consider the annual monitoring report and publish the outcome in the public domain.
- 4.5. To recommend any additions, amendments or updates to Policies or Action Points for consideration in any future Review of the BANP.
- 4.6. The JCC will, if appropriate, arrange for a review of the BANP to be undertaken.
- 4.7. In the absence of a review of the BANP in the interim period a review will be carried out every 5 years. Upon a review being instigated the JCC will engage the support of the Steering Group to assist in preparing the review. The views of the Local Planning authority will be sought on these matters.
- 4.8. Any such review, or any action that would materially change the NP or the delivery thereof, shall be referred for approval by all participating councils.

## **5. Administration**

- 5.1. The NPJCC shall act in accordance with the standing orders and financial regulations of Bridport Town Council.
- 5.2. The administration and clerking of meetings shall be carried out by Bridport Town Council.

5.3. At the first meeting, and annually thereafter following the Steering Group will elect a Chair and, optionally, a Vice-Chair.

5.4. The NPJCC may also allocate other roles and responsibilities amongst the Group.

5.5. Insurance cover will be provided by the participating councils.

## **6. Meetings**

6.1. The NPJCC shall meet at least quarterly and the Chair (in conjunction with the Clerk), or any two members of the NPJCC may call additional meetings as necessary.

6.2. Notice of meetings shall follow the requirements of town and parish councils, as prescribed by the Local Government Act 1972.

6.3. Bridport Town Council shall keep a record of meetings, and circulate notes to NPJCC members in a timely fashion.

6.4. All meetings shall be held in public.

6.5. The quorum for any meeting of the NPJCC shall be four.

6.6. A simple majority of NPJCC members is required for recommendations or resolutions to be valid. In the case of an equality of votes, the Chair may at her/his discretion exercise a casting vote.

## **7. Finance**

7.1. All funding shall be held by Bridport Town Council, who shall be the accountable body for the Bridport Area Neighbourhood Plan.