

ESCLUSHAM COMMUNITY COUNCIL

STANDING ORDERS

These Standing Orders are made by Esclusham Community Council (hereinafter referred to as “the Council”) for the regulation of the Council’s business, pursuant to Paragraph 42 of Schedule 12 of the Local Government Act of 1972, and with respect of making of contracts, in accordance with the terms of Section 135 of that Act. It is not construed that their effect derogates any statutory requirements or the effects of relevant case law. *These were reviewed and adopted on 11th May 2015.*

The Standing Orders printed in **bold** typeface reflect selection of the many relevant mandatory statutory requirements and associated case law applicable to Welsh Community and Town Councils. As such they are generally incapable of suspension by resolution. However, it should be understood that they do not encompass all statutory provisions relating thereto.

MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES

1. **In a year of ordinary elections of Community Councillors, the annual meeting of the Council shall be held on, or within 14 days after, the day on which the Councillors elected at that election take office (viz. the fourth day thereafter). This means that the annual meeting is required to be within 4 and 18 days after the date of election, or as otherwise prescribed by law. In any other year, the annual meeting shall be held on such day in May as the Council may determine. It shall be held at 7.00pm or such hour as the Council may otherwise fix.**
 2. In addition to the annual meeting, The Council shall, in every year, hold 10 other ordinary meetings for the transaction of its business, such meetings being held at monthly intervals on the second Monday thereof at 7.00pm (excluding the month of August).
 3. **An extraordinary meeting of the Council may be called at any time by the Chair and, should he/she refuse to call such a meeting after a requisition for that purpose, signed by two members of the Council, has been presented to him/her or if, without so refusing, he/she does not call an extraordinary meeting within seven days after such a requisition has been presented to him/her, any two members of the Council, on that refusal or on the expiration of those seven days, may forthwith convene an extraordinary meeting of the Council.**
 4. **A meeting of the Council or Committee or Sub-Committee thereof shall be held at such place, either within or without its area, as the Council, Committee or Sub-Committee may direct but shall not be held in premises licensed for the sale of intoxicating liquor unless no other suitable room is available either free of charge or at a reasonable cost. Generally, meetings of the Council and its Committees or Sub-Committees shall be held at the Parish Hall, Rhostyllen, except when necessarily held on-site.**
 5. **At least three clear days before a meeting of the Council or a Committee of the Council** -
 - a) **notice of the time and place of the intended meeting shall be fixed in some conspicuous place in the community and, where the meeting is called by members of the Council, the notice shall be signed by those members and shall specify the business proposed to be transacted at the meeting**
 - b) **a summons to attend the meeting, specifying the business proposed to be transacted at the meeting, signed by the Proper Officer of the Council, shall be left at or sent by post to the usual place of residence of every member of the Council.**
- Other than as referred to elsewhere in these Standing Orders, no decision shall be taken on any matter other than in respect of items of business specified on the summons, except where, in the opinion of the Council, the matter is either urgent or important.
6. **Meetings of the Council and its Committees and Sub-Committees shall be held and conducted strictly in accordance with the requirements of law** and these Standing Orders. Smoking shall not be permitted at any such meetings.

APPOINTMENT OF COMMITTEES AND SUB-COMMITTEES

7. The Council, for the purpose of discharging any of its functions or advising it on any matter relating thereto, may appoint one or more Committees comprising members of the Council and , if it so wishes, including persons who are not members thereof. The latter shall not be permitted voting rights thereon and shall not be elected to preside thereat.
8. A Committee appointed in accordance with Standing Order 7 may, unless the Council otherwise directs, appoint one or more Sub-Committees comprising members of the Committee and persons who are not members thereof. The latter shall not be permitted voting rights thereon and shall not be elected to preside thereat.
9. Unless otherwise directed by the Council, any Committee appointed in accordance with Standing Order 7 and any Sub-Committee appointed in accordance with Standing Order 8 shall, respectively, appoint its own Chair.
10. A Committee or Sub-Committee shall report back respectively to the Council or Committee which appointed it its decisions taken in accordance with any functional power delegated to it and/or recommendations/observations on any matter relevant to its terms of reference.

APPOINTMENT OF CHAIR AND OF VICE-CHAIR

11. A Chair shall, at the Council's annual meeting, be elected from among its members and, unless he/she resigns or becomes disqualified, shall continue in office until his/her successor becomes entitled to act as such. (i.e. following his/her successor's election to that office at the next annual meeting of the Council or being elected to fill any casual vacancy for the Chair that may occur sooner).
12. The Chair shall, at the annual meeting at which elected or re-elected, or at the meeting at which elected if filling a casual vacancy, or, if the Council at that meeting so permits, before or at a later meeting fixed by the Council, make, in the presence of a member of the Council or its Proper Officer, and deliver to the Council, a declaration of acceptance of office in a form prescribed by an Order made by The National Assembly for Wales and if he/she fails to do so the office of Chair shall thereupon become vacant.
If present at any meeting of the Council, the Chair shall preside thereat.
13. The person presiding at the time of election of the Chair shall be disqualified from being a candidate for re-election to that office if he/she continues to preside. Therefore, a person presiding who is a candidate for election thereto shall be required to vacate the chair and leave the meeting prior to his/her name being formally proposed as a candidate.
14. In the case of an equality of votes in the election of a Chair, the person presiding at the meeting shall give a casting vote in addition to any other vote he/she may have.
15. A Vice-Chair shall be appointed annually by the Council from among its members and shall hold office until immediately after the election of a Chair at the next annual meeting of the Council, unless he/she should resign or become disqualified beforehand. In the absence of the Chair at a meeting of the Council, the Vice-Chair shall preside thereat. In the absence of both Chair and Vice-Chair, such Councillor as the members of the Council present shall choose, shall preside.
16. The Chair, Vice-Chair or Councillor presiding at a meeting of the Council, a Committee or Sub-Committee thereof, shall be empowered to exercise all the powers and duties of the office of Chair in relation to the conduct of the meeting including the right to exercise a casting vote. He/she shall not purport to exercise any of the functional executive powers or responsibilities of, or on behalf of, the Council.

DECLARATION OF ACCEPTANCE OF OFFICE OF COMMUNITY COUNCILLORS

17. Any person elected or re-elected to the office of Community Councillor shall, in the manner described in Standing Order 12, deliver to the Council a declaration of acceptance of office, incorporating an undertaking by the declarant that in performing his/her functions, he/she will observe the Council's Code of Conduct for the time adopted. If he/she fails to do so, his/her office as Community Councillor shall, thereupon, become vacant.

AGENDAS FOR MEETINGS AND ORDER OF BUSINESS

18. Except as otherwise provided by these Standing Orders or by statute, no item of business or motion shall be included in the agenda for a meeting of the Council, or any of its Committees, or discussed thereat, unless it has been placed upon the agenda by the Clerk or by a member of the Council. The latter shall give notice thereof to the Clerk prior to the issue of the summons. The Clerk shall place upon the agenda all items of business or motions where notice is given as aforesaid.
19. A copy of the agenda shall be sent, for information, to the relevant County Borough Councillor(s) for Wrexham.
20. Subject to any relevant statutory requirement and to provisions contained elsewhere in these Standing Orders, including for varying the order of business, the business of any meeting of the Council (other than its annual meeting) shall be transacted in the following order:
 - a) to elect a member to preside in the absence of the Chair and Vice-Chair
 - b) to receive any apology for absence from the meeting of any Councillor and to consider acceptance, or otherwise, of any reason given for such absence
 - c) to accept and sign the minutes of the previous meeting as a true record
 - d) to receive disclosures of personal interest and the nature thereof, in accordance with the requirements of the Council's adopted members' Code of Conduct
 - e) to examine and, where possible, determine any outstanding minutes or matters arising
 - f) to receive reports of Committees and Sub-Committees appointed
 - g) to receive listed communications, planning applications and, where appropriate, make decisions thereon
 - h) to consider items of business placed on the agenda by the Clerk or, subject to the requisite notice detailed in Standing Order 18, items of business placed thereon by members of the Council, in such order as the Clerk may deem appropriate.
21. In addition, at the annual meeting of the Council, the following business shall be transacted in the following order:
 - a) election of Chair
 - b) appointment of Vice-Chair
 - c) appointment or re-appointment of any standing Committees, Sub-Committees or Working Groups
 - d) appointment or re-appointment of Members to serve on outside bodies
 - e) delegation or renewal of functional power to the Clerk/Responsible Financial Officer to act in respect of urgent business arising between meetings of the Council with the approval of three Council members including the Chair and Vice-Chair.
 - g) fixing the Chair's allowance
 - h) at an annual meeting immediately following an ordinary election, co-option of members to fill any vacancies unfilled due to insufficient candidates.
22. Without prejudice to the prescribed order of business as set out in Standing Orders 20 & 21, the business to be transacted by the Council may be preceded by supplementary generic items in respect of which no decisions shall be taken but, in appropriate circumstances, may be placed on the agenda of a later meeting for consideration. Such items are restricted to:
 - a) consideration of matters raised at or before the meeting by members of the public present
 - b) making announcements
 - c) receiving reports from members on their attendance at meetings of outside bodies in respect of which they have been appointed to act as the Council's representatives.

NOTICES OF MOTION

23. Except as provided under Standing Order 28, each notice of motion shall be in writing, signed by member or members of the Council giving the notice, and delivered to the Clerk in accordance with Standing Order 18. The Clerk shall thereupon date, sequentially number and enter it in a book which shall be open to every member of the Council for inspection.
24. The Clerk shall insert in the agenda, for every meeting of the Council, all notices of motion duly given in the order in which they have been received, unless the member giving such notice has, when giving it, intimated in writing that he/she proposes to move it at some later meeting or, subsequently, has withdrawn it in writing.

25. If a motion, notice of which is thus specified in the agenda, be not moved, it shall, unless postponed by consent of the Council, be treated as abandoned and shall not be moved without fresh notice.
26. Provided that the subject matter falls within the delegations or terms of reference of any Committee/Sub-Committee of the Council, motions for which notice has been duly given shall, upon being moved, stand referred without discussion to such Committee/Sub-Committee or to such other Committee/Sub-Committee as the Council may determine, for consideration and report to the next available meeting of the Council except that the Council, if it considers it convenient and conducive to the despatch of business, may allow such motion to be dealt with at the meeting at which it is moved.
27. Every notice of motion shall be relevant to some question over which the Council has power or which affects the Community.

MOTIONS WHICH MAY BE MOVED WITHOUT NOTICE

28. The following motions may be moved without notice:
 - a) to appoint a Chair to preside at a meeting in the absence of the Chair and Vice-Chair
 - b) to act in relation to the accuracy of the minutes of the previous meeting
 - c) to change the order of business
 - d) to proceed to the next business
 - e) to close or adjourn the debate on any particular item of business
 - f) to refer a matter to a Committee/Sub-Committee/Working Group
 - g) to appoint a Committee or Working Group and/or Members to serve thereon
 - h) to receive and/or adopt a report
 - i) to withdraw a motion
 - j) to amend a motion
 - k) to exclude the public or press in appropriate circumstances
 - l) to adjourn the meeting in the event of disorderly conduct
 - m) to suspend the requirements of any Standing Order except where, by doing so, statutory requirements would be purported not to apply
 - n) to adjourn the meeting
 - o) that the question be now put
 - p) in relation to any item of business appearing on the agenda of a meeting

QUESTIONS

29. A member wishing to present a formal, written question to the Chair or the Clerk relating to the functions or business of the Council should provide seven clear days notice thereof to the Clerk. Each such question shall be put and answered without discussion and the person to whom the question is put shall only decline to answer where it is in the public interest so to do.

RULES OF DEBATE

30. The accuracy, including any corrections required, of the minutes shall be confirmed upon the signing thereof. Any matters arising from the minutes shall be raised at the conclusion of such confirmation.
31. Members shall direct their speeches only to the subject currently under discussion and shall address the Chair.
32. In the event of two or more members wishing to speak, the Chair shall determine the order of speaking.
33. A motion or amendment to a motion, other than in relation to an item of business included on the agenda, shall not be discussed unless it has been formally moved (and seconded). In the case of a motion, it shall not be discussed unless the required notice thereof has been given in accordance with Standing Order 23 or is as referred to in Standing Order 28.
34. An amendment to a motion shall be only to:
 - a) leave out words
 - b) leave out words and insert or add others
 - c) to insert or add words

but such omission or insertion shall not have the effect of introducing a new proposal into or of negating the motion before Council.

35. If an amendment be rejected, other amendments may be moved on the original motion. If an amendment be carried, the motion as amended shall take the place of the original motion and shall become the substantive motion upon which any further amendment may be moved.
36. The mover of a resolution shall have the right to reply immediately before the motion is put to the vote. Should an amendment be moved, the mover of the amendment shall be entitled to reply immediately before the amendment is put to the vote. A member exercising a right of reply shall not introduce new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.
37. A member may raise a point of order or make a personal explanation. A personal explanation shall be confined to some material part of a former speech by him/her at the same meeting which may have been misunderstood and he/she shall be entitled to be heard forthwith. The ruling of the Chair on a point of order or on the admissibility of a personal explanation shall not be open to discussion. Whenever the Chair wishes to speak during a debate, all other members of the Council shall be silent.
38. A motion or amendment may be withdrawn by the mover and with the consent of the Council. This shall be signified without discussion and it shall not be competent for any member to speak upon it after the mover has asked permission for its withdrawal, unless such permission shall have been refused.
39. When a motion is under debate, no other motion shall be moved except the following:
 - a) to amend the motion
 - b) to postpone consideration of the motion
 - c) to adjourn the meeting
 - d) to adjourn the debate
 - e) to proceed to the next business
 - f) that the question be now put
 - g) that a member be not further heard
 - h) that a member do leave the meeting
 - i) that the subject of debate be referred back to a Committee/Sub-Committee
 - j) to exclude the public and press
40. Without prejudice to the terms of these Standing Orders, or the statutory right of any member to require the taking of a formal ballot on any matter to be determined by the Council, it shall be in order for decision to be taken by the Council, or a Committee/Sub-Committee thereof, on the basis of consensus or tacit agreement.

RECISSIONS OF RESOLUTIONS

41. No motion to rescind any resolution which has been passed within the preceding six months, nor any motion or amendment to the same effect as one which has been negatived within the preceding six months, shall be in order unless the notice thereof shall have been given in the summons to the meeting and the notice shall bear, in addition to the name of the member who proposed the motion, the names of 3 other members. When any such motion has been disposed of by the Council it shall not be competent for any member to propose a similar motion within a further period of six months. This Standing Order shall not apply to motions which are moved by the Chair or other members of a Committee/Sub-Committee in pursuance of a recommendation of such Committee/Sub-Committee.

QUORUM

42. **No business of the Council shall be transacted at a meeting of the Council unless at least one-third of the whole number of members of the Council are present at the meeting but in no case shall the quorum be less than 3. A quorum in relation to the meetings of this Council shall, therefore, be at least 5 Councillors. However, where more than one-third of the members of the Council become disqualified at the same time, then, until the number of members in office is increased to not less than two-thirds of the whole number of members thereof, the quorum of the Council shall be determined by reference to the number of members of the Council remaining qualified instead of by reference to the whole number of members of the Council. So long as there shall be a quorum present at any meeting, it shall be in order for a decision to be taken on, say, a single voter, if nobody votes against. The fact that other Councillors present may be unable to vote, on account of having a personal interest in any particular matter for consideration, shall not affect the situation, the law**

making no reference to a quorum being calculated by reference only to the number of members entitled to vote.

43. Should a quorum not be present at a meeting of the Council or should the number of members present fall below that of a quorum, the business not transacted at the meeting shall be transacted at the next ordinary meeting of the Council or at an extraordinary meeting thereof summoned for this purpose.
44. The quorum of any Committee or Sub-Committee of the Council shall comprise of at least 5 members.

VOTING

45. **All questions coming or arising before the Council and its Committees and Sub-Committees shall be decided by a majority of the members present and voting thereon at a properly convened meeting of the Council. The method of voting shall be by a show of hands (or, alternatively, by secret ballot where the Council, Committee or Sub-Committee, as the case may be, so decide). However, on the requisition of any member of the Council, the voting on any question shall be recorded so as to show whether each member present and voting did give his/her vote for or against that question. A member shall be entitled to have his/her name recorded in the minutes as voting against a specific matter or as abstaining from voting thereon.**
46. In the event of there being an equality of votes and the member presiding at a meeting of the Council or Committee/Sub-Committee declining to give a second or casting vote, the relevant motion or amendment thereto shall fall to the ground and the Council, Committee/Sub-Committee, as the case may be, shall proceed to the next item of business; **other than in respect of the election of a Chair, where the person presiding is required by law to exercise a casting vote.**
47. **In respect of voting where more than two persons have been nominated for a single vacancy (e.g. in respect of an appointment to fill a casual member vacancy, appointment to serve on an outside body, appointment of staff etc.), the successful candidate shall receive an absolute majority vote of those members present and voting. The name of the person having the least number of votes shall be struck off the list and one or more fresh votes taken until a majority of votes is given in favour of one person.**

DISORDERLY CONDUCT

48. No member shall, at a meeting of the Council or a Committee or Sub-Committee thereof, persistently disregard the ruling of the person presiding thereat, wilfully obstruct business or behave irregularly, offensively, improperly or in such a manner as to bring the Council into disrepute.
49. If, in the opinion of the person presiding thereat, a member has breached the requirements of Standing Order 48, any member may move that the member in question be no longer heard. This motion, thereupon, shall be put forthwith and without discussion.
50. In the event of such a motion being carried and the member in question persists in breaching the requirements of Standing Order 48, the person presiding may suspend the meeting or take such further steps as may reasonably be deemed to be necessary or expedient.

CANVASSING OF AND RECOMMENDATIONS BY MEMBERS

51. Canvassing of members, directly or indirectly, for any appointment to be made by the Council shall disqualify the candidate for such appointment and the Clerk shall make known to every candidate for such appointment the terms of this Standing Order.
52. A member shall not solicit for any person for any Council appointment nor recommend any person for such appointment or promotion. The requirements of this Standing Order shall not, however, prevent a member providing a written reference as to the candidate's ability, experience or character for submission to the Council with an application for appointment. Additionally, the terms of this Standing Order shall apply to tenders and quotations as if those persons submitting such were candidates for appointment.

PUBLIC ACCESS TO MEETINGS, INFORMATION, CONFIDENTIAL BUSINESS AND INSPECTION OF DOCUMENTS

53. Any meeting of the Council or of its Committees shall be open to the public. However, the Council or Committee may, by resolution, exclude the public and press (during the whole or part of proceedings) whenever publicity would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reason stated in the resolution and arising from the nature of that business or proceedings, and where such a resolution is passed, the meeting shall not be required to be open to the public during the proceedings to which the resolution applies. The Council or Committee may treat the need to receive or consider recommendations or advice from sources other than members, its Committees or Sub-Committees, as a special reason why publicity would be prejudicial to the public interest, without regard to the subject or purpose of the recommendations or advice. While any such meeting is open to the public, the Council or Committee, as the case may be, shall not have power to exclude members of the public therefrom and duly accredited representatives of newspapers attending for the purpose of reporting the proceedings for those newspapers shall, so far as practicable, be afforded reasonable facilities for taking their report and, unless the meeting is held in premises not belonging to the Council or not on the telephone, for telephoning the report at their own expense. The provision of this Standing Order shall be without prejudice to any power of exclusion to suppress or prevent disorderly conduct or other behaviour at a meeting.
54. The Council shall adhere to the principles of openness in relation to public access to its meetings and documents, as referred to in Section 100 of the Local Government Act 1972 (as inserted therein by the Local Government (Access to Information) Act 1985), as if it were a principal council insofar as it is possible and practicable so to do in relation to the functions of the Council, particularly in relation to admission of the public to meetings of Sub-Committees and to public access to agendas, reports, minutes and background papers. **The Council shall also strictly comply with and adhere to any present or future requirements affecting it contained in the Freedom of Information Act 2000 and Statutory Instruments made thereunder.**
55. Notwithstanding the principles of openness in the Council's dealings, as referred to in Standing Order 54, no member shall disclose to any person not a member of the Council any business declared to be confidential by the Council.
56. A member shall, but only for the purposes of undertaking his/her functions, duties and responsibilities as a Councillor, be entitled to inspect any document in the possession of the Council and, where practicable, shall, on request, be supplied with a copy thereof for that purpose.

APPOINTMENT OF STAFF

57. The Council may appoint such officers and other employees as it thinks necessary, including a Clerk, for the proper discharge of its functions. **The terms of appointment or conditions of employment of every such officer or other employee shall be deemed to incorporate the Code of Conduct set out in the Schedule to the Code of Conduct (Qualifying Local Government Employees - Wales) Order 2001.**
58. The Council shall appoint a Responsible Financial Officer (who may also be its Clerk) with prescribed duties and responsibilities, to undertake its functions under Section 151 of the Local Government Act 1972 and Regulation 4 of the Accounts and Audit Regulations 1996.
59. The Council shall appoint a completely independent internal auditor to undertake the functions prescribed under Regulation 5 of the Accounts and Audit Regulations 1996 and Codes of Audit Practice drawn up in relation thereto by the Audit Commission and shall give its consideration to any recommendations or observations made by him/her from time to time.
60. Every appointment of a person to a paid office or employment under the Council shall be made on merit, subject to any relevant statutory exceptions to that requirement and, in order to avoid any possible accusation of bias, employees of the Council shall not be involved in any appointment, or any other decision relating to discipline, promotion or pay and conditions for any other employee, or prospective employee, to whom they are related or with whom they have a close personal relationship outside work.

CONTRACTS

61. Where it is intended to enter into a contract exceeding £1250 for the execution of works or £2500 for goods or materials, but not exceeding £50,000, the Council's Responsible Financial Officer shall give public notice of such intention in the same manner as public notice of meetings of the Council is given.
62. Subject to the requirements of Standing Order 63, where the value of the intended contract exceeds £50,000, similar notice shall be given in addition in such newspapers circulating in the district as the Council shall direct.
63. Where, in the opinion of the Council, the goods, materials or works are of a specialist nature, as an alternative to Standing Order 62, tenders may be invited from at least three contractors, selected by the Council, specialising in the type of work in question.
64. The notice or invitation to submit a tender for a contract exceeding £50,000 shall include identical specifications of the intended contract and state the name and address of the person to whom tenders are to be addressed and shall state the last date by which those tenders should reach that person in the ordinary course of post.
65. Tenders/quotations in excess of £50,000 received shall be opened by the Responsible Financial Officer, or other person to whom tenders are required to be addressed, in the presence of the Council or Committee/Sub-Committee/Officer to which/whom the power to award the contract may have been delegated.
66. The Council is not bound to accept the lowest tender, but all decisions shall be made subject to arithmetical and technical checks.
67. Should no tenders be received or should all the tenders be identical, the Council may make such arrangements for procuring the goods or materials or executing the works as it thinks fit.
68. A notice/invitation to tender issued in accordance with the requirements of Standing Orders 61, 62, 63 and 64 shall contain a statement of the effect of Standing Order 52 in relation to tenders and quotations.
69. No member of the Council shall, in the name of the Council, issue orders or transmit instructions or directions unless such orders are specifically authorised by the Council or in accordance with powers properly delegated to a Committee/Sub-Committee/Officer and the requirements of these Standing Orders shall be strictly adhered to in respect thereof.

EXECUTION OF DOCUMENTS

70. All relevant documents (e.g. those relating to land transactions etc.) shall be executed under the common seal of the Council. Should the Council not have a seal, all relevant documents should be signified by an instrument signed and sealed by two members of the Council.

PROPER OFFICER

71. Where a statute, regulation or order confers functions or duties on the Proper Officer of the Council, that officer shall be its Clerk in the following cases;
 - a) to receive and witness declarations of acceptance of office
 - b) to receive and retain plans and documents
 - c) to sign notices or other documents on behalf of the Council
 - d) to receive copies of byelaws made by Wrexham County Borough Council
 - e) to certify byelaws made by the Community Council
 - f) to sign summonses to attend meetings of the Council and its Committees/Sub-Committees

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

EXPENDITURE AND FINANCIAL MANAGEMENT

72. The terms and requirements of the Council's approved Financial Regulations shall be adhered to in relation to any decisions relating to expenditure and the Council shall give due consideration to any recommendations or observations made by its internal auditor in relation to the management of its financial affairs.

MEMBERS' AND OFFICERS' CODES OF CONDUCT

73. Councillors shall conduct themselves in accordance with the prescribed principles governing their conduct as referred to in Section 49 (2) of the Local Government Act 2000 and the Conduct of Members (Principles) (Wales) Order 2001 namely, selflessness, honesty, integrity, propriety, duty to uphold the law, stewardship, objectivity in decision-making, equality, respect, openness, accountability and leadership.
74. Councillors shall, in conducting business of the Council, undertaking the role of member thereof to which they were elected or appointed, and acting as a representative of the Council, observe and adhere to its Code of Conduct adopted in accordance with the requirements of Section 51 of the 2000 Act, incorporating any model Code issued by the National Assembly for Wales under Section 50 (2) thereof.
75. Where a Councillor acts as a representative of the Council on another body, that member shall, when acting in that capacity, comply with the Code unless it conflicts with any legal obligations arising as a consequence of service on that body.
76. Councillors shall carry out their duties and responsibilities with due regard to the need to promote equality of opportunity for all people regardless of their gender, race, disability, sexual orientation, age or religion and shall show respect and consideration for others. They must not do anything which compromises, or which is likely to compromise, the impartiality of the authority's employees.
77. Councillors shall not disclose information given in confidence without the express consent of a person authorised to give such consent or unless required by law to do so, and shall not prevent any person from gaining access to information to which that person is entitled by law.
78. In their official capacity or otherwise, Councillors shall not commit a criminal offence or cause one to be committed or behave in a manner which could be reasonably regarded as bringing the office of Councillor or the Council into disrepute. They shall also report any conduct by another person which they believe involves, or is likely to involve, criminal behaviour. Any breach or an alleged breach of the code of conduct by a Councillor must be referred to the Public Ombudsman for Wales who will provide advice and guidance as to how the matter should be dealt with.
79. A Councillor (other than a member who is the subject of an investigation by the Monitoring Officer) shall comply with any requirement made by the Monitoring Officer in connection with an investigation.
80. Councillors shall not, in their official capacity or otherwise, use their position improperly to confer on or secure for any person, an advantage or disadvantage. This shall particularly apply to members of their family, friends or close personal associates. Neither may Councillors secure an advantage for themselves. They shall when (corporately) using or authorising the use by another Councillor of the resources of the Council, do so prudently and in accordance with the law and the Council's requirements. They shall ensure that the resources of the Council are not used improperly for their own private purposes nor used improperly for members of their family, friends or close personal associates.
81. Councillors, when reaching decisions, shall do so on the basis of the merits of the circumstances involved and in the public interest, having regard to any relevant advice provided by the Council's officers, in particular its Responsible Financial Officer, the Monitoring Officer and its legal officer who should be consulted when there is any doubt as to the Council's power to act or as to whether the action proposed lies within the policy framework agreed by the Council where the legal consequences of action or failure to act by the Council might have important repercussions; and shall give reasons for decisions in accordance with the Council's requirements.
82. Councillors shall observe the law and the Council's rules governing the claiming of expenses and allowances in connection with their duties as Councillors and shall avoid accepting from anyone gifts, hospitality (other than official hospitality such as a civic reception or a working lunch duly authorised by the Council), material benefits or services for themselves or any person with whom the Councillor is living which would, or might reasonably appear to, place him/her under improper obligation.
83. Councillors shall, in all matters, consider whether they have a personal interest and whether the Code requires them to disclose this interest.

84. A Councillor has a personal interest in a matter if he/she anticipates that a decision upon it might reasonably be regarded as likely to benefit or disadvantage;
- a) the Councillor, one of his/her family or a friend, or any person with whom he/she has a close personal association
 - b) a body which employs those persons, or for which those persons have any degree of ownership, control or management to a greater extent than other council tax payers, ratepayers or inhabitants of the Council's area.
85. Councillors shall regard themselves as having a personal interest in a matter to the extent that it relates to;
- a) another relevant authority of which they are a member
 - b) a body in which they hold a position of general control or management
 - c) a body to which they have been appointed or nominated by the Council as a representative
86. Councillors shall also regard themselves as having a personal interest in a matter to the extent that it relates to;
- a) any full-time, part-time or intermittent employment, office, trade or profession carried on by them for profit or gain
 - b) any person who employs or has appointed them, any firm in which they are a partner, or any company of which they are a remunerated director
 - c) any person, other than a relevant authority (i.e. a County Borough Council, Fire Authority or National Park Authority) who has made a payment to them in respect of their election or any expenses incurred in carrying out their duties
 - d) any corporate body which has a place of business or land in the Council's area where the Councillor has a beneficial interest in a class of securities of that body which exceeds £25,000 in value (based upon original cost) or one-hundredth of the total issued share capital of that body, whichever be the lower
 - e) any contract for goods, services or works made between the Council and the Councillor, a firm in which the Councillor is a partner, a company of which the Councillor is a director, or a body falling within those referred to in d)
 - f) any land in which the Councillor or a member of the Councillor's family has a beneficial interest and which is in the area of the Council
 - g) any land of which the landlord is the Council and the tenant is a firm in which the Councillor is a partner or a company of which the Councillor is a director or a body falling within d)
 - h) any land in the Council's area in which the Councillor has a licence (alone or jointly with others) to occupy for a month or longer
 - i) any visit outside the UK for which the Council has paid or will pay.
87. Councillors shall additionally regard themselves as having a personal interest in a matter to the extent that it relates to any membership, or position of general control or management which they have in any organisation. Such organisations include any;
- a) private club or society such as the Freemasons, a recreational club, working men's club or private investment club
 - b) organisation whose principal purpose includes influencing public opinion or policy such as a lobby group
 - c) trade union or professional association
 - d) company, industrial and provident society or other organisation which has charitable objects

Councillors may, however, regard themselves as not having a personal interest in a matter to the extent that it relates to the functions of the Council in respect of an allowance or payment made under Sections 173 to 176 of the Local Government Act 1972 (attendances, financial loss, travelling and subsistence allowances and allowances for attending conferences and meetings).

88. A Councillor who has a personal interest in a matter specified in Standing Order 85 above and who attends a meeting of the Council or a Committee/Sub-Committee thereof, at which the matter is discussed, shall disclose the existence and nature of the interest at the commencement of that discussion or when the interest becomes apparent. In such case, that Councillor may speak but shall not vote on the matter unless granted a dispensation by the relevant Standards Committee of the Wrexham County Borough Council.
89. A Councillor who has a personal interest in a matter specified in Standing Orders 86 and 87 above and who attends a meeting of the Council or a Committee/Sub-Committee thereof, at which the matter is discussed, shall disclose the existence and nature of the interest at the commencement of that discussion or when the interest becomes apparent. In such case, that Councillor shall withdraw from consideration of the matter unless granted a dispensation by the relevant Standards Committee

of Wrexham County Borough Council which shall not consider granting a dispensation unless the Councillor has previously notified the Monitoring Officer of that interest, in accordance with the terms of Standing Order 91, together with relevant details.

90. A Councillor who has a personal interest in a matter which is not specified in Standing Orders 85, 86 nor 87 but including those referred to in Standing Order 84, and who attends a meeting of the Council or a Committee/Sub-Committee thereof, at which the matter is discussed, shall disclose the existence and nature of the interest at the commencement of that discussion or when the interest becomes apparent. If that personal interest is such that a member of the public might reasonably conclude that it would significantly affect the Councillor's ability to act purely on the merits of the case and in the public interest if that Councillor were to take part in the discussion of that matter, shall also withdraw from consideration of the matter unless granted a dispensation by the relevant Standards Committee of the Wrexham County Borough Council which shall not consider granting a dispensation unless the Councillor has previously notified the Monitoring Officer of that interest, in accordance with the terms of Standing Order 91, together with relevant details.
91. Councillors shall register any disclosed interest in the Register of Interests established and maintained by the appropriate Monitoring Officer. They shall exercise personal responsibility in deciding whether they have a personal interest such that they should disclose it, seeking advice thereon from the Monitoring Officer and having regard to any advice from the Standards Committee. Councillors shall notify the Monitoring Officer of any change to the interests registered within one month of their occurrence.
92. Other than any gift accepted by a Councillor on behalf of the Council, a Councillor shall notify the Monitoring Officer of the existence and nature of any gifts, hospitality, material benefits or advantage received by the Councillor, or, to the Council's knowledge, any person with whom the Councillor is living, from any company, organisation or person and relating to or arising from their position as a Councillor, where the value of the benefit exceeds £100.
93. Employees of the Council are expected to observe the terms of the relevant Code of Conduct issued by the National Assembly for Wales under Section 82 (2) of the Local Government Act 2000 and the Code of Conduct (Qualifying Local Government Employees) (Wales) Order 2001. This includes that the public is entitled to expect the highest standards of conduct from the Council's employees, their role being to serve the Council in providing advice, implementing its policies and delivering services to the local community. In performing their duties they shall act with integrity, honesty, impartiality and objectivity.
94. Such employees serve the whole of the Council and are accountable to and owe a duty to the Council. They shall act in accordance with the principles set out in the Code, recognising the duty of all public sector employees to discharge public functions reasonably and according to the law.
95. The Council's employees shall follow every lawfully expressed policy of the Council and shall not allow their own personal or political opinions interfere with their work.
96. Mutual respect between employees and Councillors is essential to good local government and working relationships should be kept on a professional basis. Employees should deal with the public, Councillors and any other employees, sympathetically, efficiently and without bias.
97. Employees should comply with policies relating to equality issues, as agreed by the Council, in addition to the requirements of the law.
98. Employees shall ensure that they use public funds entrusted to them in a responsible and lawful manner and shall not utilise property, vehicles or other facilities of the Council for personal use unless authorised to do so.
99. Whilst employees' private lives are their own concern, they shall not allow their private interests to conflict with their public duty. They shall not misuse their official position or information acquired in the course of their employment to further their private interests, or the interest of others. In particular, they shall comply with;
 - a) any rules of the Council on the registration and declaration by employees of financial and non-financial interests
 - b) any rules of the Council on the declaration by employees of hospitality or gifts offered to, or received by, them from any person or organisation doing or seeking to do business, or otherwise benefitting or seeking to benefit from relationship with the Council. Employees shall not accept benefits from a third party unless authorised to do so by the Council.

100. In the event that an employee becomes aware of activities which he/she believes to be illegal, improper, unethical or otherwise inconsistent with the employees' Code, the employee should report the matter, acting in accordance with the employee's rights under the Public Interest Disclosure Act 1998 and with any confidential reporting procedure of the Council or any other procedure designed for this purpose.
101. Openness in the dissemination of information and decision-making should be the norm in relevant authorities. However, certain information may be confidential or sensitive and, therefore, not appropriate for a wide audience. Where confidentiality is necessary to protect the privacy or other rights of individuals or bodies, information should not be released to anyone other than a Community Councillor, employee or other person who is entitled to receive it, or need to have access to it for the proper discharge of their functions. Nothing in the Code shall be taken as over-riding existing statutory or common law obligations to keep certain information confidential or to divulge certain information.
102. Employees involved in the recruitment and appointment of staff shall ensure that appointments are made on the basis of merit. In order to avoid any possible accusation of bias, employees shall not be involved in any appointment, or any other decisions relating to discipline, promotion or pay and conditions for any other employee, or prospective employee, to whom they are related or with whom they have a close personal relationship outside work.
103. Where a Monitoring Officer is undertaking an investigation in accordance with regulations made under Section 73 (1) of the Local Government Act 2000, an employee shall comply with any requirement made by the Monitoring Officer in connection with such investigation.

WELSH LANGUAGE SCHEMES AND USE OF THE WELSH LANGUAGE

104. Councillors, officers and any other employees shall adhere to the requirements of any Welsh Language Scheme or revised Scheme made by the Council under the Welsh Language Act 1993 and approved by the Welsh Language Board.
105. The Council shall conduct the business at its meetings in the English language.

HUMAN RIGHTS

106. In so far as it is possible, primary and subordinate legislation must be read and given effect in a way which is compatible with the rights and fundamental freedoms referred to in the European Convention on Human Rights set out in the Human Rights Act 1998 and it is, therefore, generally unlawful for a public authority to act in a way which is incompatible with a Convention right. This Council shall, therefore, have regard to human rights principles when making decisions affecting people's rights.

VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS

107. Subject to statutory requirements, any one or more of these Standing Orders, except those printed in **bold** typeface, may be suspended by resolution of the Council in relation to any specific items of business, subject to the vote thereon being carried by at least two-thirds of the members present and voting on the motion. A Committee or Sub-Committee thereof may similarly suspend any one or more of these Standing Orders in relation to any specific item of business in respect of which it exercises properly delegated functional powers. Any suspension shall only be for the duration of the meeting at which the resolution is passed.
108. Any motion to add to, vary or revoke these Standing Orders shall, when moved and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

STANDING ORDERS TO BE GIVEN TO MEMBERS AND OFFICERS

109. A copy of these Standing Orders shall be given to each member of the Council by the Clerk upon delivery to him/her of the member's Declaration of Acceptance of Office. A copy thereof shall also be given by the Clerk to any officer or other employee upon his/her appointment.