

# **CHESHAM TOWN COUNCIL**

## **STANDING ORDERS**

### **PROCEEDINGS AND BUSINESS**

\* - See No. 43 (a) for explanation

#### **1. MEETINGS OF THE COUNCIL**

- (a) Meetings of the Council shall be held in the Council Chamber at the Town Hall, Chesham, as directed in the Official Notice convening each meeting, commencing at 19.30 hours, unless the Council otherwise decides at a previous meeting.

#### **2. THE STATUTORY ANNUAL MEETING**

- (a) in an election year shall be held on the Monday next following the fourth day after the ordinary day of elections to the council. \*
- (b) in a year which is not an election year shall be held on such day in May as the Council may fix. \*
- (c) in addition to the Annual Meeting, there shall be three other Statutory Council Meetings. \*
- (d) additional meetings of the Council shall be held on such dates as approved by the Council.

#### **3. TOWN MAYOR**

- (a) The election of the Town Mayor shall be the first business transacted at the Annual Meeting.\*

#### **4. DEPUTY TOWN MAYOR**

- (a) The Deputy Town Mayor shall be appointed at the Annual Meeting.
- (b) If the Town Mayor is absent from a meeting of the Council the Deputy Town Mayor shall preside.

#### **5. CHAIRMAN OF MEETING**

- (a) In these standing orders, the expression 'Chairman' means Town Mayor or in his or her absence the Deputy Mayor but any power or duty of a Chairman in relation to the conduct of the meeting may be exercised by the person presiding at the meeting.\*
- (b) The ruling of the Chairman of the meeting as to the construction or application of any of these Standing Orders, or as to any procedural matters of the Council, shall not be challenged at any meeting of the Council or of any committee or sub-committee.

#### **6. PROPER OFFICER**

Where a statute, regulation or order confers functions or duties on the proper officer of the Council in the following cases, he shall be the Town Clerk:-

- (a) To receive declarations of acceptance of office
- (b) To receive and record notices disclosing personal interests

- (c) To receive and retain plans and documents
- (d) To sign notices or other documents on behalf of the Council
- (e) To receive copies of byelaws made by the Chiltern District Council
- (f) To certify copies of byelaws made by the Council
- (g) To sign summons to attend meetings of the Council

In any other cases the proper officer shall be the person nominated by the Council and, in default of nomination, the Town Clerk.

## **7. QUORUM**

- a) A quorum for any meeting of the Council shall be six.
- b) If a quorum is not present when the Council meets or if during a meeting the number of Councillors present falls below the quorum, the business not transacted at that meeting shall be transacted at the next meeting or on such other day as the Chairman may fix.

## **8. VOTING**

- (a) Members shall vote by show of hands or, if at least two members so request, by signed ballot.
- (b) If a member so requires, the Town Clerk shall record the names of the members who voted on any question so as to show whether they voted for or against it. \*
- (c) Subject to (d) and (e) below, the Chairman may give an original vote on any matter put to the vote and in the case of an equality of votes may give a casting vote even if he gave no original vote. \*
- (d) If the person presiding at the Annual Meeting would have ceased to be a member of the Council but for the statutory provisions which preserve the membership of the Chairman and Vice Chairman until the end of their term of offices he may not give an original vote in an election for Chairman. \*
- (e) The person presiding must give a casting vote whenever there is an equality of votes in an election for Chairman. \*

## **9. ORDER OF BUSINESS**

(In an election year Councillors should execute Declarations of Acceptance of Office in the presence of the proper officer before the Annual Meeting commences).

- (a) At each Annual Meeting the first business shall be:-
  - (i) To elect a Town Mayor. \*
  - (ii) To receive the Town Mayor's declaration of acceptance of office or, if not then received, to decide when it shall be received.
  - (iii) In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.

- (iv) To decide when any declarations of acceptance of office and written undertakings to observe the code of conduct adopted by the Council which have not been received as provided by law, shall be received.
  - (v) To elect a deputy Mayor.
  - (vi) To appoint statutory or standing committees.
  - (vii) To inspect any deeds and trust instruments in the custody of the Council, if any member so requires, and shall thereafter follow the order set out in (c) below.
- (b) At every meeting other than the Annual Statutory Meeting the first business shall be to appoint a Chairman if the Chairman and Vice-Chairman be absent and to receive such declarations of acceptance of office (if any) and undertaking to observe the Council's code of conduct as are required by law to be made, or if not then received, to decide when they shall be received. \*
- (c) After the first business has been completed, the order of business, unless the Council otherwise decides on the ground of urgency, shall be as follows:
- (i) To receive apologies for absence.
  - (ii) To read and consider the Minutes.
  - (iii) After consideration to approve the signature of the Minutes by the presiding Chairman as a correct record.\*
  - (iv) To deal with business expressly required by statute to be done. \*
  - (v) To receive such communications as the presiding Chairman may wish to lay before the Council.
  - (vi) To answer questions under Standing Order No. 12.
  - (vii) To dispose of business, if any, remaining from the last meeting.
  - (viii) To receive and consider reports and minutes of committees and advisory committees.
  - (ix) To receive and consider reports from officers of the Council.
  - (x) To authorise the sealing of documents
  - (xi) To authorise the signing of orders for payment.
  - (xii) To consider motions or recommendations in the order in which they have been notified.
  - (xiii) Any other business specified in the summons.
- (d) A motion to vary the order of business on the grounds of urgency

- (i) may be proposed by the Chairman and may be put to the vote without being discussed, and
- (ii) if proposed by any member shall be put to the vote with discussion.

## **10. RESOLUTIONS MOVED ON NOTICE**

- (a) Except as provided by these Standing Orders, no resolution may be moved unless the mover has given notice in writing of its terms and has delivered the notice to the Town Clerk at least twelve clear days before the next meeting of the Council.
- (b) The Town Clerk shall date every notice motion or recommendation when received by him, shall number each notice in the order in which it was received and shall enter it in a book which shall be open to the inspection of every member of the Council.
- (c) The Town Clerk shall insert in the summons for every meeting all notices of motion or recommendation properly given in the order in which they have been received unless a member giving a notice of motion has stated in writing that he intends to move at some later meeting or that he withdraws it.
- (d) If a resolution or recommendation specified in the summons be not moved, either by the member who gave notice of it or by any other member, it shall, unless postponed by the Council, be treated as withdrawn and shall not be moved without fresh notice.
- (e) If the subject matter of a resolution comes within the province of a committee of the Council, it shall, upon being moved and seconded, stand referred without discussion to such committee or to such other committees as the Council may determine for report; provided that the Chairman, if he considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.
- (f) Every resolution or recommendation shall be relevant to some question over which the Council has power or which affects its area.

## **11. RESOLUTIONS MOVED WITHOUT NOTICE**

Resolutions dealing with the following matters may be moved without notice:

- (a) To appoint a Chairman of the meeting
- (b) To correct the Minutes
- (c) To approve the Minutes
- (d) To alter the order of business
- (e) To proceed to the next business
- (f) To close or adjourn the debate
- (g) To refer a matter to a committee
- (h) To appoint a committee or any members thereof, or a Standing Member or his Deputy
- (i) To adopt a report
- (j) To authorise the sealing of documents
- (k) To amend a motion
- (l) To give leave to withdraw a motion or an amendment
- (m) To extend the time limit for speeches
- (n) To adjourn the meeting
- (o) To suspend Standing Orders

- (p) To consider otherwise than in committee a question affecting an employee of the Council
- (q) To give the consent of the Council where such consent is required by these Standing Orders.
- (r) To exclude the press and public. (See Standing Order 38).
- (s) To silence or eject from a meeting a member named for misconduct. (See Standing Order 16).
- (t) To invite a member having an interest in the subject matter under debate to remain. (See Standing Order 33 (a), (b) and (c).

## 12. QUESTIONS

A member may ask the Chairman any question concerning the business of the Council providing notice of the question has been given to the person to whom it is addressed before the meeting.

- (a) A member with or without notice may ask the Chairman of a committee any question upon the proceedings of the committee then before the Council, but only if the question put before the Council's consideration of those proceedings is finished.
- (b) Every question shall be put and answered without discussion, except that the Chairman may at his discretion allow the questioner to put a supplementary question.
- (c) A person to whom a question has been put may decline to answer.

## 13. QUESTIONS FROM THE PUBLIC

- (a) A period of fifteen minutes shall be allowed for Public Questions at the beginning of the Statutory or Ordinary Meeting of the Council.
- (b) A member of the Public present at a meeting of the Council may ask the Town Mayor any question on any matter in relation to which Council has powers or duties or which affects the town.
- (c) Every question shall only be put during the item on the Agenda which refers specifically to "Questions from the Public".
- (d) Every question shall be put and answered without discussion by the Mayor or, at his/her invitation, by the Chairman of any Committee or Sub-Committee, but the person to whom a question has been put may decline to answer. Any Member of the Council who wishes to contribute to, or amplify the answer given, may do so at the discretion of the Mayor.
- (e) An answer may take the form of :-
  - (i) a direct oral answer or
  - (ii) where the desired information is contained in a publication of the Council, a reference to that publication, or
  - (iii) where the reply to the question cannot conveniently be given orally, a written answer sent to the questioner, copies of which shall be circulated to Members of the Council.
- (f) Each question should be limited to a maximum of five minutes discussion.

## 14. RULES OF DEBATE

- (a) No discussion shall take place upon the Minutes except upon their accuracy. Corrections to the Minutes shall be made by resolution and must be initialled by the Chairman.
- (b) A resolution or amendment shall not be discussed unless it has been proposed and seconded, and unless proper notice has already been given, it shall, if required by the Chairman, be reduced to writing and handed to him before it is further discussed or put to the meeting.
- (c) A member when seconding a resolution or amendment may, if he then declares his intention to do so, reserve his speech until a later period of the debate.
- (d) A member shall direct his speech to the question under discussion or to a personal explanation or to a question of order.
- (e) No speech shall exceed five minutes, except by consent of the Chairman.
- (f) An amendment shall be either
  - (i) To leave out words
  - (ii) To leave out words and insert or add others
  - (iii) To insert or add words
- (g) An amendment shall not have the effect of negating the motion before the Council.
- (h) If an amendment be carried, the resolution, as amended, shall take the place of the original resolution and shall become the resolution upon which any further amendment may be moved.
- (i) A further amendment shall not be moved until the Council has disposed of every amendment previously moved.
- (j) The mover of a resolution or of an amendment shall have a right of reply.
- (k) A member other than the mover of a resolution, shall not, without leave of the Council, speak more than once on any resolution except to move an amendment or further amendment, or on an amendment, or on a point of order or in personal explanation, or to move the closure.
- (l) A member may rise to make a point of order or a personal explanation. A personal explanation shall be confined to some material part of a former speech by him which may have been misunderstood. A member rising for these purposes shall be heard forthwith.
- (m) A motion or amendment may be withdrawn by the proposer with the unanimous consent of the Council, which shall be signified without discussion, and no member may speak upon it after permission has been asked for its withdrawal unless such permission has been refused.
- (n) When a resolution is under debate no other resolution shall be moved except the following:
  - (i) To amend the resolution
  - (ii) To proceed to the next business
  - (iii) To adjourn the debate
  - (iv) That the question be now put
  - (v) That a member named be not further heard
  - (vi) That a member named does leave the meeting
  - (vii) That the resolution be referred to a committee
  - (viii) To exclude the public or the press or both
  - (ix) To adjourn the meeting
- (o) A member shall stand when speaking unless permitted by the Chairman to sit on account of infirmity.
- (p) The ruling of the Chairman on a point of order or on the admissibility of a personal explanation shall not be discussed.
- (q) Members shall address the Chairman.

- (r) If two or more members rise, the Chairman shall call upon one of them to speak and the others shall resume their seats.
- (s) Whenever the Chairman rises during a debate all other members shall be seated and silent.

## **15. CLOSURE**

At the end of any speech a member may, without comment, move "that the question be now put", "that the debate be now adjourned" or "that the Council do now adjourn". If such motion is seconded and if the Chairman is of the opinion that the question before the Council has been sufficiently debated (but not otherwise), he shall forthwith put the motion. If the motion "that the question be now put" is carried, he shall call upon the mover to exercise or waive his right of reply and shall put the question immediately after that right has been exercised or waived. The adjournment of a debate or of the Council shall not prejudice the mover's right of reply at the resumption.

## **16. DISORDERLY CONDUCT**

- (a) All members must observe the Code of Conduct which was adopted by the Council on the 3<sup>rd</sup> September 2012.\*
- (b) No member shall, at a meeting, persistently disregard the ruling of the Chairman, wilfully obstruct business or behave irregularly, offensively, improperly or in such a manner as to bring the Council into disrepute.
- (c) If, in the opinion of the Chairman, a member has acted in a manner contrary to that required, the Chairman shall express that opinion to the Council and thereafter any member may move that the member named be no longer heard or that the member named do leave the meeting, and the motion, if seconded, shall be put forthwith and without discussion. If a member reasonably believes another member is in breach of the code of conduct, that member is under a duty to report the breach to the Standards Board.
- (d) If the motion mentioned in paragraph (c) is disobeyed, the Chairman may adjourn the meeting or take such further steps as may reasonably be necessary to enforce them.
- (e) In accordance with the Bullying and Harassment Policy, adopted by the Council on 30<sup>th</sup> October 2006, if a member is proved to have bullied or harassed an employee the Council has the power to admonish the member and obtain an undertaking from them not to repeat the conduct. The Council can also ban the member from all committees of the Council and representation on all outside bodies. Additionally, the Council has the power to make a formal complaint to the Standards Board.

## **17. RIGHT OF REPLY**

The mover of a resolution shall have a right of reply immediately before the resolution is put to the vote. If an amendment is proposed 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.

## **18. ALTERATION OF RESOLUTION**

A member may, with the consent of his seconder, move amendments to his own resolution.

**19. RESCISSION OF PREVIOUS RESOLUTION**

- (a) A decision whether (affirmative or negative) of the Council shall not be reversed within six months save by a special resolution, the written notice whereof bears the names of at least five members of the Council.
- (b) When a special resolution has been disposed of, no similar resolution may be moved within a further six months.

**20. VOTING ON APPOINTMENTS**

When more than two persons have been nominated for any position to be filled by the Council and of the votes given there is not an absolute majority in favour of one person, the names of the person having the least number of votes shall be struck off the list and a fresh vote taken, and so on until a majority of votes is given in favour of one person.

**21. DISCUSSIONS AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL**

If at a meeting there arises any question relating to the appointment, conduct, promotion, dismissal, salary or conditions of service, of any person employed by the Council, it shall not be considered until the Council or committee (as the case may be) has decided whether or not the public shall be excluded. (See Standing Order No. 38 (d)).

**22. EXPENDITURE**

Orders for the payment of money shall be ratified or authorised by resolution of the Council and signed by one member and a nominated Officer. \*

**23. SEALING OF DOCUMENTS**

- (a) A document shall not be sealed on behalf of the Council unless its sealing has been authorised by a resolution.
- (b) The Council's Common Seal shall alone be used for sealing documents. It shall be applied by the proper officer in the presence of two members who shall sign the documents as witnesses.

**24. APPOINTMENT OF COMMITTEE**

The Council may at the Annual Meeting appoint standing committees and may at any time appoint such other committees as are necessary to carry out the work of the Council, but subject to any statutory provision in that behalf:

- (a) Shall not appoint any member of a committee so as to hold office later than the next Annual Meeting of the Council
- (b) May appoint persons other than members of the Council to any committee
- (c) May, subject to the provisions of Standing Order 19 at any time dissolve a committee or alter its membership.
- (d) The Mayor and Deputy Mayor ex-officio shall be members of every committee.



**25. CERTAIN PROCEEDINGS TO BE CONFIDENTIAL**

All proceedings of the Council and of committees and sub-committees taken whilst the public and the press are excluded from a meeting by Resolution passed under the Public Bodies (Admission to Meetings) Act 1960 with the exception of a decision taken under powers delegated by the Council shall be treated as confidential until the Minutes of the proceedings of that meeting shall have been circulated to members of the Council. No disclosure shall in any circumstances be made of any matter, fact, statement or report which has at any meeting of any committee (including the Council in committee) or sub-committee been indicated as confidential.

**26. CONSTITUTION OF COMMITTEES**

The following committees shall be the Standing Committees of the Council:

- (a) Recreation and the Arts  
Development Control  
Policy and Resources  
Executive
- (b) The Development Control Committee shall consist of all the members of the Council and has power to make representations on planning matters on behalf of the Council
- (c) The Constitution of the other Standing Committees shall be based on a reasonable balance of political or other groupings.
- (d) All standing committees shall have executive powers but any Member of the Council (either at that Committee or in writing in advance of the meeting) may request that the matter be referred to Full Council for determination. This request may be made even after a Motion has been passed or lost at the Committee, but before the close of the meeting, by any Member of the Council. This request may be made even after a motion has been passed or lost at the Committee, but before the close of the meeting, by any Member of the Council.

**27. ELECTION OF CHAIRMAN AND VICE CHAIRMAN OF COMMITTEE**

Every committee shall, at its first meeting, before proceeding to any other business, elect a Chairman for the year, and may at any time elect a Vice Chairman both of whom shall hold office until the next Annual Meeting of the Council. In the absence from a meeting of the Chairman (and Vice Chairman if elected) a Chairman for that meeting shall be appointed.

**28. ATTENDANCE OF MEMBERS AT COMMITTEE MEETINGS**

- (a) All members of the Council shall have the right to attend any meetings of any standing committee of the council and shall have the right to speak at such meetings, but not to vote at committees of which they are not members.
- (b) The Chairman of a Committee or the Town Mayor may summon a special meeting of that committee at any time. A special meeting shall also be summoned on the requisition in writing of not less than a quarter of the members of the Committee. The summons shall set out the business to be considered at the special meeting and no other business shall be transacted at that meeting.

- (c) Every committee may appoint sub-committees for purposes to be specified by the committee.
- (d) The Chairman and Vice-Chairman of the committee shall be members of every sub-committee unless they signify that they do not wish to serve. Except where ordered by the Council in the case of a committee or by the Council or by the appropriate committee in the case of a sub-committee, the quorum of a committee or sub-committee shall be one-half of its members. If a Committee does not reach the stated quorum, then no formal minutes shall be taken and no matters shall be determined though notes of any discussion arising from Members who are present may be presented to Council for consideration.
- (e) The Standing Orders on rules of debate (except those parts relating to standing and speaking more than once) and the Standing Order on interests of members in contracts and other matters shall apply to committee and sub-committee meetings in so far as they are appropriate.

## **29. ADVISORY COMMITTEES AND/OR WORKING PARTIES**

- (a) There may be advisory committees and/or working parties, whose name, and number of members, and the bodies to be invited to nominate members shall be as determined from time to time by the Council.
- (b) The Clerk shall inform the members of each advisory committee/working party of the terms of reference of the committee.
- (c) An advisory committee/working party may make recommendations and give notice thereof to the Council.

## **30. VOTING IN COMMITTEES**

- (a) Members of Committees and sub-committees shall vote by show of hands.
- (b) Chairmen of Committees and sub-committees shall have a second or casting vote. \*

## **31. FUNCTIONS OF DEPUTIES**

Anything authorised or required to be done by, to or before the Town Mayor, the Chairman of a Committee or Sub-Committee or a Standing Member may if necessary be done by, to or before the Deputy Town Mayor, the Vice-Chairman of the Committee or Sub-Committee or the Deputy to the Standing Member, as the case may be.

## **32. ACCOUNTS AND FINANCIAL STATEMENT**

- (a) Except as provided in paragraph (b) of this Standing Order or by Statute, all accounts for payment and claims upon the Council shall be laid before the Council.
- (b) All payments by cheque or instructions for payment by Standing Order will be certified as to their correctness and signed by the Town Clerk, or approved deputy in his absence, prior to being checked and signed by any one Councillor who have been authorised for this purpose at the Annual Meeting of the Council.

- (c) All payments authorised under paragraph (b) of this Standing Order or made without authority of the Council shall be separately included in the next schedule of payments laid before the Council.
- (d) The RFO shall be responsible for completing the annual accounts of the Council as soon as practicable after the end of the financial year and shall submit them, and report thereon, to the Council in accordance with the timescale required by the Accounts and Audit Regulations.

### **33. INTERESTS**

- (a) If a Member has a personal interest as defined by the Code of Conduct adopted by the Council on 3<sup>rd</sup> September 2012, then he shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required.
- (b) If a Member who has declared a personal interest then considers the interest to be prejudicial, he must withdraw from the room or chamber during consideration of the item to which the interest relates. Similarly he must withdraw from the room or chamber if he has a Disclosable Pecuniary Interest (as defined in 'The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012' (The Regulations)) in an item of business being considered at that meeting unless a Dispensation has been granted pursuant to, and in accordance with, Section 33 of the Localism Act 2011.
- (c) The Clerk shall be required to compile and hold a Register of Members' Interests, or a copy thereof, that shall be available for inspection by any member.\*
- (d) If a candidate for any appointment under the Council is to his knowledge related to any member of or the holder of any office under the Council, he and the person to whom he is related shall disclose the relationship in writing to the Clerk. A candidate who fails so to do shall be disqualified for such appointment and, if appointed, may be dismissed without notice. The Clerk shall report to the Council or the appropriate committee any such disclosure. Where relationship to a member is disclosed the Standing Orders on interests of members in contracts and other matters shall apply.
- (e) The Clerk shall make known the purport of this Standing Order to every candidate.

### **34. CANVASSING OF AND RECOMMENDATIONS BY MEMBERS**

- (a) Canvassing of members or of any committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Town Clerk shall make known the purport of this sub-paragraph of this Standing Order to every candidate.
- (b) A member of the Council shall not solicit for any person any appointment under the Council or recommend any person for such appointment or for promotion; but, nevertheless, a member may give a written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.

- 35.** Standing Order 34 shall apply to tenders as if the person making the tender were a candidate for an appointment.

### **36. INSPECTION OF DOCUMENTS**

- (a) A member may for the purpose of his duty as such (but not otherwise), inspect any document in possession of the Council or a committee, and if copies are available shall, on request, be supplied for the like purpose with a copy.
- (b) All minutes kept by the Council and by any committee shall be open for the inspection by any member of the Council.\*
- (c) The minutes of the Council shall be open to inspection by any local government elector of the town without charge.

### **37. UNAUTHORISED ACTIVITIES**

No member of the Council or of any committee or sub-committee shall in the name of or on behalf of the Council –

- (a) Inspect any lands or premises which the Council has a right or duty to inspect or
- (b) Issue orders unless authorised to do so by the Council or the relevant committee or sub-committee.

### **38. ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS**

- (a) The public and the press shall be admitted to all meetings of the Council and its committees and sub-committees, which may, however, temporarily exclude the public or the press or both by means of the following resolution: \*

“that in view of the confidential nature of the business about to be transacted, it is advisable in the public interest that the press and public be temporarily excluded and they are instructed to withdraw”. The Council committee or sub-committee shall state the special reason for exclusion.

- (b) The Town Clerk shall afford to the press reasonable facilities for making their report of any proceedings at which they are entitled to be present.
- (c) If a member of the public interrupts the proceedings at any meeting, the Chairman may, after warning, order that he be removed from the Council Chamber or that the part of the Chamber open to the public be cleared.
- (d) At all meetings of the Council (including committees and sub-committees), the Chairman may at his/her discretion, and at a convenient time in the transaction of business, allow any members of the public to make representations, answer questions and give evidence in relation to the business to be transacted for a period of time, not exceeding three minutes. Such sessions form part of the Council meeting in law and shall be duly minuted.

### **39. LIAISON WITH COUNTY AND DISTRICT COUNCILLORS**

- (a) A notice of meeting shall be sent together with an invitation to attend, to the County Councillors and to the District Councillors who represent part of the Town of Chesham.

- (b) Unless the Council otherwise orders, a copy of each letter ordered to be sent to the County or District Council shall be transmitted to the County Councillor(s) for the division or to the District Councillor(s) for the ward as the case may require.

#### **40. PLANNING APPLICATIONS**

The Clerk shall, as soon as it is received, enter in a book or a record electronically kept for the purpose, the following particulars of every planning application notified to the Council:

- (a) the date on which it was received;
- (b) the name of the applicant;
- (c) the place to which it relates;
- (e) the summary of the nature of the application.

#### **41. COMPLAINTS**

The Council shall deal with complaints of maladministration allegedly committed by the Council or by any officer or member in such manner as outlined in its Complaints Procedure as adopted by the Council on 9<sup>th</sup> February 2009

#### **42. TENDERS AND CONTRACTS**

- (a) For expenditure of £10,000 or less in value the officers be delegated executive powers, obtaining at least two quotes where the Town Clerk considers it appropriate. When exceeding £10,000 but not exceeding £20,000 in value the Officers shall invite three firms to quote.
- (b) Where the value of the intended contract exceeds £20,000 similar notice shall be given in addition to all firms included in the appropriate standing approved list of contractors maintained by the District Council, or if no such list is maintained then in such newspapers circulating in the district as the Council shall direct.
- (c) The notice shall state the general nature of the intended contract and shall in addition state the name and address of the person to whom tenders are to be addressed and the last date by which those tenders should reach that person in the ordinary course of post.
- (d) If no tenders are received or if all the tenders are identical the Council may make such arrangements for procuring the goods or materials or executing the works as it thinks fit.
- (e) A notice issued under this standing order shall contain a statement of the effect of Standing Orders 34 and 35.

#### **43. VARIATION, REVOCATION AND SUSPENSION OF STANDING ORDERS**

- (a) Any part of the Standing Orders except those marked with an asterisk may be suspended by resolution in relation to any specific item of business.
- (b) A motion permanently to vary or revoke a Standing Order shall, when proposed and seconded, stand adjourned without discussion to the next Ordinary Meeting of the Council.

#### **44. STANDING ORDERS TO BE GIVEN TO MEMBERS**

A printed copy of these Standing Orders shall be given to each member by the Town Clerk upon delivery to him of the member's declaration of acceptance of office.

#### **45. DELEGATION TO TOWN CLERK**

The Town Clerk, in consultation with the Chairman and Vice-Chairman of the appropriate Committees, to take action deemed desirable on any matters which the Committee concerned has delegated powers but which require urgent action.

The situation regarding the Town Clerk's holiday carry over, etc., to be agreed in consultation with the Chairman of the Council.

In addition to those powers already listed in Standing Order 6 the Town Clerk shall have full day to day authority to deal with the business of the Council, within the agreed policies and budgets of the Council, subject to the adherence with Financial Regulations / Standing Orders. This is specifically defined as follows:

- (a) purchase of goods and services within the confines of the approved budget;
- (b) to implement decisions of the Council / Standing Committees, subject to the adherence of Financial Regulations / Standing Orders;
- (c) to institute proceedings under the Council's byelaws;
- (d) appointment and dismissal of staff;
- (e) authorisation of annual leave carry-over;
- (f) the authorisation of compassionate leave up to seven days a year;
- (g) authorisation of overtime working;
- (h) approval of training courses / study leave;
- (i) urgent action to ensure or safeguard staff welfare;
- (j) arranging official courtesy receptions / entertainment of guests, or advisers to the Council;
- (k) letting of Council facilities;
- (l) payment of salaries, wages, pension and taxes of staff employed by the Council or retired from service;
- (m) negotiation of insurance agreements for Council property and services;
- (n) authorisation of payment from funds of Council-initiated Groups, e.g. Friends of Lowndes Park;
- (o) to deal with the provision and maintenance of allotments and cemeteries;
- (p) dealing with the provision and maintenance of:
  - litter bins
  - seats
  - bus shelters
  - notice-boards
  - footpaths
  - town clocks
  - hanging baskets
  - Christmas lights
  - War memorial
  - children's playgrounds
- (q) the management and maintenance of grounds maintenance contracts;

- (r) responsibility for managing delegated functions from Buckinghamshire County Council, Chiltern District Council and other agencies;
- (s) the management of maintenance of The Elgiva and dealing with other leisure, entertainment, community and tourism issues that affect the town;
- (t) dealing with the production and publication of the Town Guide, related promotional publications and publicity matters;
- (u) co-ordinating Chesham Youth Council;
- (v) co-ordinating and directing the Council's involvement in annual events in the town;
- (w) to be responsible for the maintenance of an approved list of contractors;
- (x) to co-ordinate the Council's agreed civic and tourism role;
- (y) to manage the Council's office premises, including all operational issues and budgets;
- (z) to administer compliance with the Code of Conduct, Standing Orders and related matters.

*Amended at Policy & Resources min 64 30<sup>th</sup> March 2015.*