



EGERTON PARISH COUNCIL

STANDING ORDERS

ADOPTED

6th December 2023

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1. Meetings

- Mandatory for full Council meetings ●
- Mandatory for committee meetings ●
- Mandatory for 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	When calculating the 3 clear days for notice of a meeting to councillors and the public, the day on which notice was issued, the day of the meeting, a Sunday, a day of the Christmas break, a day of the Easter break or of a bank holiday or a day appointed for public thanksgiving or mourning shall not count, unless the meeting is convened at shorter notice.
● ●	c	Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.
	d	Subject to standing order 1(c) above, members of the public may make representations, answer questions and give evidence in respect of the business on the agenda.
	e	The period of time which is designated for public participation in accordance with standing order 1(d) above shall not exceed ten minutes unless directed by the chairman of the meeting.

	f	In accordance with standing order 1(d) above, a question asked by a member of the public during a public participation session at a meeting shall not require a response at the meeting nor start a debate. The chairman of the meeting may direct that a written or oral response be given.
	g	Any person speaking at a meeting shall address his/her comments to the Chairman.
	h	Only one person is permitted to speak at a time. If more than one person wishes to speak, the Chairman shall direct the order of speaking.
● ●	i	Subject to standing order 1(j), 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.
	j	A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.
● ●	k	The press shall be provided reasonable facilities for the taking of their report of all or part of a meeting at which they are entitled to be present.
●	l	Subject to standing orders which indicate otherwise, anything authorised or required to be done by, to or before the Chairman may in his absence be done by, to or before the Vice-Chairman.
●	m	The Chairman, if present, shall preside at a meeting. If the Chairman is absent from a meeting, the Vice-Chairman, if present, shall preside. If both the Chairman and the Vice-Chairman are absent from a meeting, a Councillor as chosen by the Councillors present at the meeting shall preside at the meeting.

<div> <div></div> <div></div> <div></div> </div>	n	Subject to a meeting being quorate, all questions at a meeting shall be decided by a majority of the Councillors present and voting thereon.
<div> <div></div> <div></div> <div></div> </div>	o	The Chairman may give an original vote on any matter put to the vote, and in the case of an equality of votes may exercise his casting vote whether or not he gave an original vote. <i>(See also standing orders 2 (h) and (i) below.)</i>
<div> <div></div> </div>	p	Unless standing orders provide otherwise, voting on any 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 vote for or against that question. Such a request shall be made before moving on to the next item of business on the agenda.
<div> <div></div> <div></div> <div></div> </div>	q	The minutes of a meeting shall record the names of councillors present and absent.
<div> <div></div> <div></div> <div></div> </div>	r	The code of conduct adopted by the Council shall apply to councillors in respect of the entire meeting.
<div> <div></div> <div></div> <div></div> </div>	s	A councillor 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 right to participate and vote on that matter.
<div> <div></div> </div>	t	No business may be transacted at a meeting unless at least one third of the whole number of members of the Council are present and in no case shall the quorum of a meeting be less than 3.
<div> <div></div> <div></div> <div></div> </div>	u	If a meeting is or becomes inquorate no business shall be transacted and the meeting shall be adjourned. Any outstanding business of a meeting so adjourned shall be transacted at a following meeting.

	v	Meetings shall not exceed a period of three hours.
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2. Ordinary Council meetings

See also standing order 1 above

- a **In an election year, the annual meeting of the Council shall be held on or within 14 days following the day on which the new councillors elected take office.**
- b **In a year which is not an election year, the annual meeting of a Council shall be held on such day in May as the Council decides.**
- c **If no other time is fixed, the annual meeting of the Council shall take place at 8pm.**
- 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 election of the Chairman and Vice-Chairman of the Council shall be the first business completed at the annual meeting of the Council.**
- f **The Chairman of the Council, unless he has resigned or becomes disqualified, shall continue in office and preside at the annual meeting until his successor is elected at the next annual meeting of the Council.**
- g **The Vice-Chairman of the Council, if any, unless he resigns or becomes disqualified, shall hold office until immediately after the election of the Chairman of the Council at the next annual meeting of the Council.**
- h **In an election year, if the current Chairman of the Council has not been re-elected as a member of the Council, he shall preside at the meeting until a successor Chairman of the Council has been elected. The current Chairman of the Council shall not have an original vote in respect of the election of the new Chairman of the Council but must give a casting vote in the case of an equality of votes.**

- i In an election year, if the current Chairman of the Council has been re-elected as a member of the Council, he shall preside at the meeting until a new Chairman of the Council has been elected. He may exercise an original vote in respect of the election of the new Chairman of the Council and must give a casting vote in the case of an equality of votes.

3. Proper Officer

- a The Council's Proper Officer shall be either (i) the clerk or (ii) such other staff member nominated by the Council to undertake the role 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,
 - 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).
 - ii. convene a meeting of the Council for the election of a new Chairman of the Council, occasioned by a casual vacancy in his office;
 - iii. facilitate inspection of the minute book by local government electors;
 - iv. receive and retain copies of byelaws made by other local authorities;
 - v. hold acceptance of office forms from councillors;
 - vi. hold a copy of every councillor's register of interests;
 - vii. Keep proper records required before and after the meeting;
 - 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;**
- 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;**
- xv. **refer a planning application received by the Council to the Chairman or in his absence the Vice-Chairman 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 Council;**
- xvi. **manage access to information about the Council via the publication scheme;**
- xvii. **retain custody of the seal of the Council (if there is one) which shall not be used without a resolution to that effect;**
- xviii. **action or undertake activity or responsibilities instructed by resolution or contained in standing orders.**

4. Motions not requiring written notice

- a **Motions in respect of the following matters may be moved without written notice.**
 - i. **To appoint a person to preside at a meeting.**
 - ii. **To approve the accuracy of the minutes of the previous meeting.**

- iii. **To correct an inaccuracy in the minutes of the previous meeting.**
- iv. **To dispose of business, if any, remaining from the last meeting.**
- v. **To alter the order of business on the agenda for reasons of urgency or expedience.**
- vi. **To proceed to the next business on the agenda.**
- vii. **To close or adjourn debate.**
- viii. **To refer by formal delegation a matter to a committee or to a sub-committee or an employee.**
- ix. **To appoint a committee or sub-committee or any councillors (including substitutes) thereto.**
- x. **To receive nominations to a committee or sub-committee.**
- xi. **To dissolve a committee or sub-committee.**
- xii. **To note the minutes of a meeting of a committee or sub-committee.**
- xiii. **To consider a report and/or recommendations made by a committee or a sub-committee or an employee.**
- xiv. **To consider a report and/or recommendations made by an employee, professional advisor, expert or consultant.**
- xv. **To authorise legal deeds signed by two councillors and witnessed.**
- xvi. **To authorise the payment of monies up to £500.**
- xvii. **To amend a motion relevant to the original or substantive motion under consideration which shall not have the effect of nullifying it.**
- xviii. **To extend the time limit for speeches.**
- xix. **To exclude the press and public for all or part of a meeting.**
- xx. **To silence or exclude from the meeting a Councillor or a member of the public for disorderly conduct.**
- xxi. **To give the consent of the Council if such consent is required by standing orders.**
- xxii. **To suspend any standing order except those which are mandatory by law.**
- xxiii. **To suspend, adjourn or close the meeting.**
- xxiv. **To appoint representatives to outside bodies and to make arrangements for those representatives to report back the activities of outside bodies.**
- xxv. **To answer questions from councillors.**
- xxvi. **To move to a vote.**
- xxvii. **To defer consideration of a motion.**

5. Rules of debate

- a Items included in an agenda shall be considered in the order that they appear on the agenda unless the order is changed at the Chairman's direction for reasons of expedience.
- b A point of order shall be decided by the Chairman of the meeting and his/her decision shall be final.

6. Code of conduct

- a All councillors shall observe the code of conduct adopted by the Council.
- b Unless he has been granted a dispensation, a councillor shall withdraw from a meeting when it is considering a matter in which he has a disclosable pecuniary interest. He may return to the meeting after it has considered the matter in which he had the interest.
- c Unless he has been granted a dispensation, a councillor shall withdraw from a meeting when it is considering a matter in which he has another interest if so required by the Council's code of conduct. He may return to the meeting after it has considered the matter in which he 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 may be granted in accordance with standing order 6(e) if having regard to all relevant circumstances any of the following apply:
- g 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;
- h Granting the dispensation is in the interests of persons living in the Council's area;
or
- i It is otherwise appropriate to grant a dispensation.

- j **Upon notification by the Borough Council that a councilor has breached the Council's code of conduct, the Council shall consider what, if any, action to take against him/her. Such action shall exclude disqualification or suspension from office.**

7. Minutes

- a **If a copy of the draft minutes of a preceding meeting has been circulated to councillors no later than the day of service of the summons to attend the scheduled meeting they shall be taken as read.**
- b **No discussion of the draft minutes of a preceding meeting shall take place except in relation to their accuracy. A motion to correct an inaccuracy in the minutes shall be raised in accordance with standing order 4(a)(iii) above.**
- c **Minutes, including any amendment to correct their accuracy, shall be confirmed by resolution and shall be signed by the Chairman of the meeting and stand as an accurate record of the meeting to which the minutes relate.**
- d **If the Chairman of the meeting does not consider the minutes to be an accurate record of the meeting to which they relate, he shall sign the minutes and include a paragraph in the following terms or to the same effect:
"The Chairman of this meeting does not believe that the minutes of the meeting of the Egerton Parish Council held on [date] were a correct record but his view was not upheld by the majority of the Council and the minutes are confirmed as an accurate record of the proceedings."**

8. Disorderly conduct

- a **No person shall obstruct the transaction of business at a meeting or behave offensively or improperly. If this standing order is ignored, the chairman of the meeting shall request such person(s) to moderate or improve their conduct.**

- b If person(s) disregard the request of the chairman of the meeting to moderate or improve their conduct, any councillor or the chairman 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 8(b) is ignored, the chairman 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.

9. Rescission of previous resolutions

- a A resolution (whether affirmative or negative) of the Council shall not be reversed within 6 months except either by a special motion, the written notice whereof bears the names of at least six councillors to be given to the Proper Officer, or by a motion moved in pursuance of the report or recommendation of a committee or sub-committee.
- b When a special motion or any other motion moved pursuant to standing order 9(a) above has been disposed of, no similar motion may be moved within a further 6 months.

10. Voting on appointments

- a Where more than 2 persons have been nominated for a position to be filled by the Council and none of those persons has received an absolute majority of votes in their favour, the name of the person having the least number of votes shall be struck off the list and a fresh vote taken. This process shall continue until a majority of votes is given in favour of one person. Any tie may be settled by the casting vote of the Chairman of the meeting.

11. Expenditure

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

12. Execution and sealing of legal deeds

See also standing order 4(a)(xv) above

- a **A legal deed shall not be executed on behalf of the Council unless the same has been authorised by a resolution.**
- b **In accordance with a resolution made under standing order 12(a) above, any two members of the Council, may sign, on behalf of the Council, any deed required by law and the Proper Officer shall witness their signatures.**

13. Committees

See also standing order 1 above

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

committee have confirmed to the Proper Officer two days before the meeting that they are unable to attend;

- v. an ordinary member of a committee who has been replaced at a meeting by a substitute member (in accordance with standing order 13(a)(iv) above) shall not be permitted to participate in debate or vote on business at that meeting and may only speak during any public participation session during the meeting;
- vi. may in accordance with standing orders, dissolve a committee at any time.

14. Sub-committees

See also standing order 1 above

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

15. Extraordinary meetings

See also standing order 1 above

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

councillors, those two councillors may convene an extraordinary meeting of a committee (or a sub-committee).

16. Advisory committees

See also standing order 1 above

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

17. Accounts and Financial Statement

- a **All payments by the Council shall be authorised, approved and paid in accordance with the Council's financial regulations, which shall be reviewed at least annually.**

18. Estimates/precepts

- a **The Council shall approve written estimates for the coming financial year at its meeting before the end of January.**

19. Canvassing of and recommendations by councillors

- a **Canvassing councillors or the members of a committee or sub-committee, directly or indirectly, for appointment to or by the Council shall disqualify the candidate from such an appointment. The Proper Officer shall disclose the requirements of this standing order to every candidate.**
- b **A councillor or a member of a committee or sub-committee shall not solicit a person for appointment to or by the Council or recommend a person for such appointment or for promotion; but, nevertheless, any such person may give a**

written testimonial of a candidate's ability, experience or character for submission to the Council with an application for appointment.

- c This standing order shall apply to tenders as if the person making the tender were a candidate for an appointment.

20. Inspection of documents

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

21. Unauthorised activities

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

22. Confidential business

- a Councillors shall not disclose information given in confidence or which they believe, or ought to be aware is of a confidential nature.
- b A councillor in breach of the provisions of standing order 22(a) above may be removed from a committee or a sub-committee by a resolution of the Council.

23. Power of well-being

- a **Before exercising the power to promote well-being, a meeting of the full Council shall have passed a resolution to confirm it has satisfied the prescribed statutory criteria required to qualify as an eligible parish council.**
- b **The Council's period of eligibility begins on the date that the resolution under standing order 23 (a) above was made and expires on the day before the annual meeting of the Council that takes place in a year of ordinary elections.**
- c **After the expiry of its preceding period of eligibility, the Council continues to be an eligible council solely for the purpose of completing any activity undertaken in the exercise of the power to promote well-being which was not completed before the expiry of the Council's preceding period of eligibility referred to in standing order 23(b) above.**

24. Responsibilities to provide information and under data protection legislation

- 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 may appoint a Data Protection Officer.**
- c **The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.**
- d **The Council shall have a written policy in place for responding to and managing a personal data breach.**

- e **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.**
- f **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.**
- g **The Council shall maintain a written record of its processing activities.**

25. Relations with the press/media

- a **All requests from the press or other media for an oral or written statement or comment from the Council shall be processed in accordance with the Council's policy in respect of dealing with the press and/or other media.**
- b **In accordance with the Council's policy in respect to dealing with the press and/or other media, councillors shall not, in their official capacity, provide oral or written statements or written articles to the press or other media without prior agreement from at least two other Councillors.**

26. Liaison with Borough and County Councillors

- a **An invitation to attend a meeting of the Council shall be sent, together with the agenda, to the councillor of the Borough and County Council representing its electoral ward.**
- b **Unless the Council otherwise orders, a copy of each letter sent to the Borough or County Council shall be sent to the Borough or County Council councillor representing its electoral ward.**

27. Financial matters

- 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 accounting records and systems of internal control;**
 - ii. the assessment and management of financial risks faced by the Council;**
 - iii. the work of the Internal Auditor 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;**
 - v. procurement policies including the setting of values for different procedures where the contract has an estimated value of less than £60,000.**

- b Any proposed contract for the supply of goods, materials, services and the execution of works with an estimated value in excess of £60,000 shall be procured on the basis of a formal tender as summarised in standing order 27(c) below.**

- c Any formal tender process shall comprise the following steps:**
 - i. a public notice of intention to place a contract to be placed in a local newspaper;**
 - ii. a specification of the goods, materials, services and the execution of works shall be drawn up;**
 - iii. tenders are to be sent, in a sealed marked envelope, to the Proper Officer by a stated date and time;**
 - iv. tenders submitted are to be opened, after the stated closing date and time, by the Proper Officer and at least one member of the Council;**
 - v. tenders are then to be assessed and reported to the appropriate meeting of Council or Committee.**

- d Neither the Council, nor any committee, is bound to accept the lowest tender, estimate or quote.**

- e A public contract regulated by the Public Contracts Regulations 2015 with an estimated value in excess of £189,330 for a public service or supply contract or in excess of £4,733,252 for a public works contract; or £663,540 for a social and other specific services contract (or other thresholds determined by the appropriate**

authority from time to time) shall comply with the relevant procurement procedures and other requirements in the Public Contracts Regulations 2015 which include advertising the contract opportunity on the Contracts Finder website.

- f A public contract in connection with the supply of gas, heat, electricity, drinking water, transport services, or postal services to the public; or the provision of a port or airport; or the exploration for or extraction of gas, oil or solid fuel with an estimated value in excess of £378,660 for a supply, services or design contract; or in excess of £4,733,252 for a works contract; or £663,540 for a social and other specific services contract (or other thresholds determined by the appropriate authority from time to time) shall comply with the relevant procurement procedures and other requirements in the Utilities Contracts Regulations 2016.

28. Handling staff matters

- a A matter personal to a member of staff that is being considered by a meeting of the Council or the Finance committee is subject to standing order 22.
- b Subject to the Council's policy regarding absences from work, the Council's Clerk shall notify the chairman or, if he is not available, the vice-chairman of absence occasioned by illness or other reason and that person shall report such absence to the Council at its next meeting.
- c The chairman or in his absence, the vice-chairman shall upon a resolution conduct a review of the performance and annual appraisal of the work of the Clerk. The reviews and appraisal shall be reported in writing and are subject to approval by resolution by Council or the Finance committee.
- d Subject to the Council's policy regarding the handling of grievance matters, the Council's Clerk (or other members of staff) shall contact the chairman or in his absence, the vice-chairman in respect of an informal or formal grievance matter, and this matter shall be reported back and progressed by resolution of the Council.
- e Subject to the Council's policy regarding the handling of grievance matters, if an informal or formal grievance matter raised by the Clerk relates to the chairman or vice-chairman, this shall be communicated to another member of Council, which shall be reported back and progressed by resolution of the Council.

- f 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.
- g In accordance with standing order 22, persons with line management responsibilities shall have access to staff records referred to in standing order 28(f).

29. Variation, revocation and suspension of standing orders

- a Any or every part of the standing orders, except those which are mandatory by law, may be suspended by resolution in relation to any specific item of business.
- b A motion to permanently add to or to vary or to revoke one or more of the Council's standing orders not mandatory by law shall not be carried unless two-thirds of the councillors at a meeting of the Council vote in favour of the same.

30. Standing orders to be given to councillors

- a The Proper Officer shall provide a copy of the Council's standing orders to a councillor upon delivery of his declaration of acceptance of office.
- b The Chairman's decision as to the application of standing orders at meetings shall be final.
- c A councillor's failure to observe standing orders more than 3 times in one meeting may result in him/her being excluded from the meeting in accordance with standing orders.