CILYBEBYLL COMMUNITY COUNCIL

STANDING ORDERS
(Adopted at the Annual Meeting of Council in May 2023)

MEETINGS

1 Meetings of the Council shall be held either alternately at Alltwen and Rhos Community Centres, or in line with Welsh Government legislation, online via Zoom software. Open fora, Special Meetings and AGM will commence at 6:30pm. Ordinary Council meetings will commence at 7.00pm and end at, or before, 9.00pm, although the Chairperson may exercise his/her discretion to allow the meeting to end at 9.15pm, during which extended period, no financial decisions shall be taken.

2 The Statutory Annual Meeting (a) in an election year shall be held on the second Tuesday in May and (b) in a year which is not an election year shall be held on the first Tuesday in May unless unforeseen circumstances arise.

3 Additional ordinary meetings shall be held on the first Tuesday of each month where possible (except August) and at the discretion of the Chairperson.

CHAIRPERSON OF THE MEETING

4 The person presiding at a meeting may exercise all the powers and duties of the Chairperson in relation to the conduct of the Meeting.

PROPER OFFICER

5 Where a statute, regulation or order confers functions or duties on the proper officer of the Council in the following cases, he/she shall be the Clerk –

(a) To receive declarations of acceptance of office.
(b) To receive and record notices disclosing pecuniary 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 a District Council.
(f) To certify copies of byelaws made by the Council.
(g) To sign summonses to attend meetings of the Council.
(h) To provide a minute book for recording the proceedings of community meetings.

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

QUORUM

6 Five Members shall constitute a quorum.

7 If a quorum is not present when the Council meets, or if during a meeting the number of Councillors present and not debarred by reason of a declared pecuniary interest 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 Chairperson may fix.

VOTING

8 Members shall vote by show of hands.

9 If a Member so requires, the Clerk shall record the names of the Members who voted on any question so as to show whether they voted for or against it.

10 The Chairperson 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 though he/she gave no original vote.

ORDER OF BUSINESS

11 At each Annual Meeting the first business shall be –

(a) To elect a Chairperson.
(b) To receive the Chairperson's declaration of acceptance of office or, if not then received, to decide when it shall be received.
(c) In the ordinary year of election of the Council to fill any vacancies left unfilled at the election by reason of insufficient nominations.
(d) To decide when any declarations of acceptance of office which have not been received as provided by law shall be received.
(e) To elect a Vice-Chairperson.
(f) To appoint Committees.

12 At every meeting other than the Annual Meeting the first business shall be to appoint a Chairperson if the Chairperson and Vice-Chairperson be absent.

13 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 –

(a) To consider and approve signature of the Minutes by the person presiding, as a correct record.
(b) To deal with any matters arising from the Minutes.
(c) To deal with business expressly required by statute to be done.
(d) To receive reports relating to Community Centre Management.
(e) To receive and consider reports and Minutes of Committees.
(f) To dispose of business, if any, remaining from the last meeting.
(g) Any other business specified in the summons.

(h) At the discretion of the Chairperson, to deal with any other business not specified in the summons, provided that it relates to an exchange of information and has previously been notified to the Chairperson.

14 The Council shall review the pay and conditions of service of existing employees on an annual basis, at an appropriate time.

RESOLUTIONS MOVED ON NOTICE

15 Except as provided by these Standing Orders, no resolution may be moved unless the business to which it relates has been put on the Agenda by the Clerk, or the mover has given notice in writing of its terms, and has delivered the notice to the Clerk at least seven clear days before the next meeting of Council.

16 If a resolution or recommendation specified in the summons is 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.

17 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 Committee as the Council may determine for report, provided that the Chairperson, if he/she considers it to be a matter of urgency, may allow it to be dealt with at the meeting at which it was moved.

18 Every resolution or recommendation shall be relevant to some subject over which the Council has power or which affects its area.

RESOLUTIONS MOVED WITHOUT NOTICE

19 Resolutions dealing with the following matters may be moved without notice –

(a) To appoint a Chairperson 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.
(i) To adopt a report.
(j) To amend a motion.
(k) To give leave to withdraw a resolution or an amendment.
(l) To invite a Member having an interest in the subject matter under debate to remain.
(m) To adjourn the meeting.

RULES OF DEBATE

20 No discussion shall take place upon the Minutes except upon their accuracy. Corrections to the Minutes shall be made by resolution.

21 (a) A resolution or amendment shall not be discussed unless it has been proposed and seconded.

(b) 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.

(c) An amendment shall not have the effect of negating the resolution before the Council.

(d) 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.

(e) A further amendment shall not be moved until the Council has disposed of every amendment previously moved.

(f) A motion or amendment may be withdrawn by the proposer with the 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.

(g) 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 the resolution be referred to a Committee.
(vi) To exclude the public and press.
(vii) To adjourn the meeting.

22 (a) Members shall address the Chairperson.

(b) Members wishing to speak shall indicate so by raising a hand, and the Chairperson shall determine the order of speakers.

DISORDERLY CONDUCT

23 (a) No Member shall at a meeting persistently disregard the ruling of the Chairperson, willfully obstruct business, or behave irregularly, offensively, improperly or in such a manner as to scandalise the Council or bring it into contempt or ridicule.

(b) If, in the opinion of the Chairperson, a Member has broken the provisions of paragraph (a) of this Order, the Chairperson 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.

(c) If either of the motions mentioned in paragraph (b) is disobeyed, the Chairperson may suspend the meeting or take such further steps as may reasonably be necessary to enforce them.

RIGHT OF REPLY

24 The mover of a resolution or amendment shall have a right to reply immediately before the resolution or amendment is put to the vote. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

ALTERATION OF RESOLUTION

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

RESCISSION OF PREVIOUS RESOLUTION

26 (a) A decision (whether affirmative or negative) of the Council shall not be reversed within six months except either by a special resolution, the written notice whereof bears the names of at least five Members of the Council. or by a resolution moved in pursuance of the report or recommendation of a Committee.
(b) When a special resolution or any other resolution moved under the provisions of paragraph (a) of this Order has been disposed of, no similar resolution may be moved within a further six months.

VOTING ON APPOINTMENTS

27 Where 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 name 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.

DISCUSSIONS AND RESOLUTIONS AFFECTING EMPLOYEES OF THE COUNCIL

28 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 Management Committee (as the case may be) has decided whether or not the public and press shall be excluded.

COMMITTEES AND SUB-COMMITTEES

29 The Council may at its Annual Meeting appoint standing Committees and may at any other time appoint such other Committees as are necessary, 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,
(b) may appoint persons other than Members of the Council to any Committee; and

(c) may subject to the provisions of Order 26 above or at any time dissolve or alter the Membership of a Committee.

30 The quorum of a Committee or Sub-Committee shall be one-half of its Members, or three Members, whichever is the greatest.

31 The Standing Orders and Financial Regulations of Council shall apply to Committees and sub-Committees wherever appropriate.

VOTING IN COMMITTEES

32 Members of Committees and Sub-Committees entitled to vote shall vote by show of hands.

33 Chairpersons of Committees and Sub-Committees of Council shall, in the case of an equality of votes, have a second or casting vote.

PRESENCE OF NON-MEMBERS OF COMMITTEES AT COMMITTEE MEETINGS

34 A Member who has proposed a resolution which has been referred to any Committee of which he or she is not a Member, may explain his or her resolution to the Committee but shall not vote.

INTERESTS

35 If any Member has any pecuniary interest, direct or indirect, within the meaning of sections 94-95 of the Local Government Act 1972, in any contract proposed contract or other matter, he/she shall, while it is under consideration by the Council, withdraw from the meeting unless the interest is trivial in the manner described in section 97(5) or –

(a) the disability imposed upon him/her by those sections has been removed by the County Borough Council; or
(b) the Council invite him/her to remain; or
(c) the contract, proposed contract or other matter is under consideration as part of the report of a Committee and is not itself the subject of debate.

36 The Clerk shall record particulars of any notice given by any Member or any Officer of the Council of a pecuniary interest in a contract, and the information may be requested by Members during office hours.

37 If any Member has a non-pecuniary interest within the ambit of the Members' Code of Conduct, he/she shall declare it and thereupon be invited to withdraw from the meeting, unless invited by the Council to remain.

38 If a candidate for any appointment under the Council is to his/her knowledge related to any Member of or the holder of any office under the Council, he/she and the person to whom he/she 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 such relationship to a Member is disclosed, Standing Order 37 shall apply. The Clerk shall make known the purport of this Standing Order to every candidate.

CANVASSING OF AND RECOMMENDATIONS BY MEMBERS

39 Canvassing of Members of the Council or of any Committee, directly or indirectly, for any appointment under the Council shall disqualify the candidate for such appointment. The Clerk shall make known the purport of this sub-paragraph of this Standing Order to every candidate.

40 Standing Orders Nos. 38 and 39 shall apply for tenders as if the person making the tender were a candidate for an appointment.

INSPECTION OF DOCUMENTS

41 A Member may for the purpose of his/her 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.

42 All Minutes kept by the Council and by any Committee shall be open for the inspection of any Member of the Council.

UNAUTHORISED ACTIVITIES

43 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, instructions or directions, unless authorised to do so by the Council or the relevant Committee or Sub-Committee.

ADMISSION OF THE PUBLIC AND PRESS TO MEETINGS

44 The public and press shall be admitted to all meetings (whether in person or online) of the Council and its Committees and Sub-Committees, which may, however, temporarily exclude the public and press by means of the following resolution:

"That further to Subsection 2 of Section 1 of the Public Bodies (Admission to Meetings) Act 1960, the public and press be excluded from the meeting during the following item, by virtue of the nature of the business to be transacted."

45 The Clerk shall afford to the press reasonable facilities for taking their report of any proceedings at which they are entitled to be present.

46 If a Member of the public interrupts the proceedings at any meeting, the Chairperson may, after warning, order that he/she be removed from the Council Chamber or online meeting.

CONFIDENTIAL BUSINESS

47 (a) No Member of the Council or of any Committee or Sub-Committee shall disclose to any person not a Member of the Council any business declared to be confidential by the Council, the Committee or the Sub-Committee as the case may be.
(b) Any Member in breach of the provisions of paragraph (a) of this Standing Order shall be removed from any Committee of the Council by the Council.

MANAGEMENT OF INFORMATION

48 The Council shall have in place and keep under review, technical and organisational measures to keep secure information (including personal data) which it holds in paper and electronic form. Such arrangements shall include deciding who has access to personal data and encryption of personal data.

49 The Council shall have in place, and keep under review, policies for the retention and safe destruction of all information (including personal data) which it holds in paper and electronic form. The Council's retention policy shall confirm the period for which information (including personal data) shall be retained or if this is not possible the criteria used to determine that period (e.g. the Limitation Act 1980).

50 The agenda, papers that support the agenda and the minutes of a meeting shall not disclose or otherwise undermine confidential information or personal data without legal justification.

51 Councillors, staff, the Council's contractors and agents shall not disclose confidential information or personal data without legal justification.

RESPONSIBILITIES TO PROVIDE INFORMATION

52 In accordance with freedom of information legislation, the Council shall publish information as indicated within its publication scheme and respond to requests for information held by the Council.

RESPONSIBILITIES UNDER DATA PROTECTION LEGISLATION

53 The Council may appoint a Data Protection Officer.

54 The Council shall have policies and procedures in place to respond to an individual exercising statutory rights concerning his personal data.

55 The Council shall have a written policy in place for responding to and managing a personal data breach, and keep a record of all personal data breaches

comprising the facts relating to the personal data breach, its effects and the remedial action taken.

56 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.

57 The Council shall maintain a written record of its processing activities.

LIAISON WITH COUNTY BOROUGH COUNCILLORS

58 Unless the Council otherwise orders, a copy of each letter and/or e-mail ordered to be sent to the County Borough Council shall be transmitted to the County Borough Councillors for the community.

CODE OF CONDUCT ON COMPLAINTS

59 The Council shall deal with complaints of maladministration allegedly committed by the Council or by any Officer or Member in the manner recommended in Circular 2/86 issued by the National Association of Local Councils.

REVISION AND CIRCULATION OF STANDING ORDERS

60 It shall be the duty of the Council to review the Standing Orders of the Council from time to time.

61 A copy of these Standing Orders shall be given to each Member by the Clerk upon delivery to him/her of the Member's declaration of acceptance of office.