

**TUTBURY PARISH COUNCIL
STANDING ORDERS**

**Adopted March 2017
Reviewed Jan 2018**

1 Meetings

- (a) Meetings of the council shall be held in each year on such dates and times and at such place as the council may direct.
- (b) Smoking is not permitted at a meeting of the council

2 The Statutory Annual Meeting

- (a) **In an election year the Annual Parish Council Meeting shall be held on or within 14 days following the day on which the elected councillors take office and**
- (b) **In a year which is not an election year the Annual Parish Council Meeting shall be held on such day in May as the council may direct**

- 3 In addition to the statutory Annual Parish Council Meeting at least three other statutory meetings shall be held in each year on such dates and times and at such place as the council may direct.**

4 Chairman of the Meeting

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

5 Proper Officer

Where a statute, regulation or order confers a function or duties on the proper officer of the council in the following cases, he/she shall be the clerk or nominated officer:-

- (a) To receive declarations of acceptance of office
- (b) To receive and record notices disclosing interests at meetings
- (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 by-laws made by another local authority
- (f) To certify copies of by-laws made by the council
- (g) To sign and issue the summons to attend meetings of the council
- (h) To keep proper records for all council meetings

6 Quorum of the council

Three members or one-third of the total membership, whichever is the greater, shall constitute a quorum at meetings of the council.

7 If a quorum is not present or if during a meeting the number of councillors present (not counting those debarred by reason of a declared interest) falls below the required quorum, the meeting shall be adjourned and business not transacted shall be transacted at the next meeting or on such other day as the chairman may fix.

8 For a quorum relating to a committee or sub-committee please refer to standing order 48.

9 Voting

Members shall vote by show of hands or, if at least two members so request, by signed ballot.

10 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. Such a request must be made before moving on to the next business.

11 (1) Subject to (2) and (3) below the chairman may give an original vote on any matter put to the vote, and in any case of an equality of votes may give a casting vote whether or not he gave an original vote.

(2) 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 office he may not give an original vote in an election for chairman.

(3) The person presiding must give a casting vote whenever there is an equality of votes in an election for chairman.

12 Order of Business

At each Annual Parish Council Meeting the first business shall be:-

- (a) To elect a chairman of the council**
- (b) To receive the chairman'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 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**
- (e) To elect a vice-chairman of the council**
- (f) To appoint representatives to outside bodies**
- (g) To appoint committees sub-committees and street representatives**
- (h) To consider the payment of any subscriptions falling to be paid annually**
- (i) To inspect any deeds and trust investments in the custody of the council as required; and shall thereafter follow the order set out in the Standing Order 15**

13 At every meeting other than the Annual Parish Council Meeting the first business shall be to appoint a chairman if the chairman and vice-chairman are 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.

14 In every year, not later than the meeting at which the estimates for next year are settled, the council shall review the pay and conditions of service of existing employees. Standing Order 38 must be read in conjunction with this requirement.

15 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 read and consider the minutes; provided that if a copy has been circulated to each member not later than the day of issue of the summons to attend the meeting, the minutes may be taken as read.

(b) After consideration to approve the signature of the minutes by the person presiding as a correct record.

(c) To deal with business specified on the agenda of the meeting

(d) To deal with business expressly required by statute to be done

(e) To dispose of business, if any, remaining from the last meeting

(f) To receive such communications as the person presiding may wish to lay before the council

(g) To answer questions from councillors

(h) To receive and consider reports and minutes of committees

(i) To receive and consider resolutions or recommendations in the order in which they have been notified

(j) To authorise the sealing of documents

(k) If necessary, to authorise the signing of orders for payment

16 Urgent Business

A motion to vary the order of business on the ground of urgency:

(a) May be proposed by the chairman or by any member and, if proposed by the chairman, may be put to the vote without being seconded, and

(b) Shall be put to the vote without discussion

17 Resolutions Move on Notice

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 9 clear days before the next meeting of the council.

18 In accordance with the Openness Of Local Government regulations 2014. The clerk shall date every written notice of resolution or recommendation when received by him/her, shall number each notice in the order in which it was received and shall record details in the minutes. which shall be open to the inspection of every

member of the council. The clerk should also record alternative options presented, and the names of any councillor who has a conflict of interest.

- 19 The 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 the member giving a notice of motion has stated in writing that he intends to move at some later meeting or that he withdraws it.
- 20 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.
- 21 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 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.
- 22 Every resolution or recommendation shall be relevant to some subject over which the council has power or duties, which affects its area.

23 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
- (i) To adopt a report
- (j) To authorise the sealing of documents
- (k) To amend a motion
- (l) To give leave to withdraw a resolution or amendment
- (m) To extend the time limit for speeches
- (n) To exclude the press and public but see Orders 67 & 68 below
- (o) To silence or eject from the meeting a member named for misconduct (see order 33 below)
- (p) To give the consent of the council where such consent is required by these standing orders
- (q) To suspend any standing order (see Order 79 below)
- (r) To adjourn the meeting

24 Questions

A member may ask the chairman of the council or the clerk any question concerning the business of the council, provided 3 clear days notice of the question has been given to the person to whom it is addressed.

25 No questions not connected with business under discussion shall be asked except during the part of the meeting set aside for questions.

26 Every question shall be put and answered without discussion.

27 A person to whom a question has been put may decline to answer.

28 Rules of Debate

No discussion shall take place upon the minutes except upon their accuracy. Corrections to the minutes shall be made by resolution and be initialled by the chairman.

29

(a) 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

(b) A member when seconding a resolution or amendment may, if he/she then declares his/her intention to do so, reserve his/her speech until a later period of the debate

(c) A member when seconding a resolution or amendment may, if he/she then declares his/her intention to do so, reserve his/her speech until a later period of the debate

(d) No speech by a mover of a resolution shall exceed 5 minutes and no other speech shall exceed 5 minutes except by consent of the council

(e) An amendment shall be either:-

(i) To leave out words

(ii) To leave out words and insert others

(iii) To insert or add words

(f) An amendment shall not have to effect of negating the resolution before the council

(g) If an amendment is 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

(h) A further amendment shall not be moved until the council has disposed of every amendment previously moved

(i) The mover of a resolution or of an amendment shall have a right of reply, not exceeding 5 minutes

(j) 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 a closure

(k) A member may speak on a point of order or a personal explanation. A member speaking for these purposes shall be heard forthwith. He/she shall confine a personal explanation to some material part of a former speech, which may have been misunderstood.

- (l) 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.
- (m) 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 leaves the meeting
 - (vii) That the resolution be referred to a committee
 - (viii) To exclude the public and press but see Order 67 & 68 below
 - (ix) To adjourn the meeting

30 A member shall remain seated when speaking unless requested to stand by the chairman.

31

- (a) The ruling of the chairman on a point of order or on the admissibility of a personal explanation shall not be discussed.
- (b) Members shall address the chairman. If two or more members wish to speak, the chairman shall decide whom to call upon.
- (c) Whenever the chairman speaks during a debate all other members shall be silent.

32 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, the chairman shall put the motion but, in the case of a motion “that the question is now put”, only if he is of the opinion that the question before the council has been sufficiently debated. 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.

33 Disorderly Conduct

- (a) **All members must observe the Code of Conduct which was adopted by the council on 30 July 2012 (see annex A.)**
- (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 Monitoring Officer at the Borough Council.

- (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.

34 Right of Reply

The mover of a resolution shall have a right to 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 a new matter. After the right of reply has been exercised or waived, a vote shall be taken without further discussion.

35 Alteration of Resolution

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

36 Rescission of Previous Resolution

- (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 4 members of the council, or by a resolution moved in pursuance of the report of 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.

37 Voting on Appointments

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.

38 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 has decided whether or not the press and public shall be excluded. (See Standing Order No. 67 & 68)

39 Resolutions on Expenditure

Any resolution which, if carried, would, in the opinion of the chairman substantially increase the expenditure upon any service which is under the management of the council or reduce the revenue at the disposal of the council, or which would

involve capital expenditure, shall, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the council

40 **Expenditure**

Orders for the payment of money shall be authorised by resolution of the council and signed by two members.

41 **Sealing of Documents**

- (a) 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 document required by law to be issued under seal.

42 **Committees and Sub-Committees**

The council may at its Annual Parish Council 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 36 above at any time dissolve or alter the membership of committee.

43 The chairman and vice-chairman ex-officio shall be voting members of every committee.

44 Every committee shall at its first meeting before proceeding to any other business, elect a chairman and may elect a vice-chairman who shall hold office until the next Annual Meeting of the council.

45 **Special Meeting**

The chairman of a committee or the chairman of the council may summon an additional meeting of that committee at any time. An additional 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 the meeting.

46 **Sub-Committee**

Every committee may appoint sub-committees for purposes to be specified by the committee.

47 The chairman and vice-chairman of the committee shall be members of every sub-committee appointed by it unless they signify that they do not wish to serve.

48 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-third of its members.

49 The Standing Orders on rules of debate (except those parts relating to standing and to 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.

50 Advisory Committees

- (1) The council may create advisory committees, whose name, and number of members and the bodies to be invited to nominate members shall be specified.
- (2) The clerk shall inform the members of each advisory committee of the terms of reference of the committee.
- (3) An advisory committee may make recommendations and give notice thereof to the council
- (4) An advisory committee may consist wholly of persons who are not members of the council.

Voting in Committees

51 Members of committees and sub-committees entitled to vote, shall vote by show of hands, or, if at least two members so request, by signed ballot.

52 Chairman of committees and sub-committees shall in the case of an equality of votes have a second or casting vote.

53 Presence of Non-Members of Committees at Committee Meetings

A member who has proposed a resolution, which has been referred to any committee of which he is not a member, may explain his resolution to the committee but shall not vote.

54 Accounts and Financial Statement

- (1) Except as provided in paragraph (2) of this Standing Order or by statute, all accounts for payment and claims upon the council shall be laid before the council.
- (2) Where it is necessary to make a payment before it has been authorised by the council, such payment shall be certified as to its correctness and urgency by the Clerk/Responsible Financial Officer. Such payment shall be authorised by the council by the proper officer for payment in consultation with the chairman or vice-chairman of the council.
- (3) All payments ratified under sub-paragraph (2) of this Standing Order shall be separately included in the next schedule of payments before the council.

55 The Clerk/Responsible Financial Officer shall supply to each member as soon as practicable after 31 March in each year a statement of the receipts and payments of the council for the completed financial year. A financial statement prepared on the appropriate accounting basis (receipts and payments, or income and expenditure) for a year to 31 March shall be presented to each member before the end of the following month of May. The statement of accounts of the council (which will be subject to external audit) shall be presented to council for formal approval before the end of the following month of September.

56 Estimates/Precepts

(1) The council shall approve written estimates for the coming financial year at its meeting before the end of the month of January.

57 Interests

If a member has a personal interest as defined by the Code of Conduct adopted by the council, then he shall declare such interest as soon as it becomes apparent, disclosing the existence and nature of that interest as required.

58 **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.**

59 **The clerk is required to compile and hold a register of member's interests, or a copy thereof, in accordance with agreement reached with the monitoring officer of the responsible authority and/or as required by statute.**

60 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 to the appropriate committee any such disclosure. Where relationship to a member is disclosed this Standing Order shall apply.

61 The clerk shall make known the purpose of this Standing Order to every candidate.

62 Canvassing of and Recommendations by Members

(1) 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 purpose of this sub-paragraph of this Standing Order to every candidate.

(2) A member of the council or of any committee shall not solicit for any person any appointment under the council or recommend any person for such appointment or for promotion; but, nevertheless, any such member may give a written testimonial

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

- 63 Standing Order No.'s 61 & 63 shall apply to tenders as if the person making the tender were a candidate for an appointment.

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64 Inspection of Documents

A member may for the purpose of his duty as such (but not otherwise), inspect and 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.

- 65 All minutes kept by the council and by any committee shall be open for the inspection of any member of the council.**

66 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, instructions or directions unless authorised to do so by the council or the relevant committee or sub-committee.

67 Admission of the Public and Press to Meetings

The public and press shall be admitted to all meetings of the council and its committees and sub-committees, who may, however, temporarily exclude the public and press by means of the following resolution:-

“That in view of the [special] [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”.

Unless there are exceptional circumstances, notice of the intention to exclude the press and public for a particular item of business will be given on the agenda for the meeting. The council or committee may permit recordings of excluded meetings.

- 68 The council, committee or sub-committee shall state the special reason for exclusion. See annex B.

69

- a Members of the public may make representations, answer questions and give evidence at a meeting which they are entitled to attend in respect of the business on the agenda.

- b The period of time designated for public participation at a meeting in accordance with standing order 3(e) above shall not exceed (15) minutes unless directed by the chairman of the meeting.
 - c Subject to standing order 3(f) above, a member of the public shall not speak for more than (3) minutes.
 - d In accordance with standing order 3(e) above, a question shall not require a response at the meeting nor start a debate on the question. The chairman of the meeting may direct that a written or oral response be given.
 - e A person shall raise his/her hand when requesting to speak.
 - f A person who speaks at a meeting shall direct his comments to the chairman of the meeting.
 - g Only one person is permitted to speak at a time. If more than one person wants to speak, the chairman of the meeting shall direct the order of speaking.
 - h) At all meetings of the council, the chairman may at their discretion and at a convenient time in the transaction of business, adjourn the meeting so as to allow any members of the public to address the meeting in relation to the business to be transacted at that meeting.
- 70 The clerk shall afford to the press reasonable facilities for the taking of their report of any proceedings at which they are entitled to be present. In accordance with Part 3 Openess Of Local Government regulations 2014 recording of meetings should be permitted and can be done by film, photograph and audio recordings.
- 71 If a member of the public interrupts the proceedings any meeting, the chairman may, after warning, order that he/she be removed from the meeting and may adjourn the meeting for such period as is necessary to restore order.

- (1) 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.
- (2) Any member who discloses confidential information shall be in breach of the council's code of conduct.

73 Liaison with County and District Councillors

A summons and agenda for each meeting shall be sent, together with an invitation to attend, to the county and borough councillor for the appropriate division or ward.

- 74 If the council so orders, a copy of each letter ordered to be sent to the county or borough council shall be transmitted to the county councillor for the division or to the borough councillor for the ward as the case may require.

75 Planning Applications

- (1) The clerk shall notify as soon as it is received the receipt of every significant planning application to the chairman/chairman of the Planning Committee or in the chairman's absence to the vice-chairman.

76 Financial Matters

- (1) The council shall consider and approve financial regulations drawn up by the Clerk/Responsible Financial Officer. Such regulations shall include detailed arrangements for the following:-
 - (a) The accounting records and systems of internal control;
 - (b) The assessment and management of risks faced by the council;
 - (c) The work of the internal auditor and receipt of reports from the internal auditor which shall be required annually;
 - (d) The financial reporting requirements of members and local electors;
 - (e) Procurement policies including the setting of procedures for contracts of different values. Any proposed contract for the supply of goods, materials, services and the execution of works shall be in accordance with current financial regulations
 - (f) Tenders are to be assessed and reported to the appropriate meeting of council
- (2) The council is not bound to accept the lowest tender, estimate or quote. Any tender notice shall contain a reference to the Standing Orders 60 & 62 regarding improper activity.
- (3) The financial regulations of the council shall be subject to regular review, at least once every four years.

77 Code of Conduct on Complaints

The council shall deal with complaints of maladministration allegedly committed by the council or by any officer or member in such manner as adopted by the council. The council will deal with complaints in line with the best practice guidance set out by The Society of Local Clerks Complain Procedure, except for those complaints which should be properly directed to the monitoring officer at the Borough Council.

78 Suspension and Revocation

Any or every part of the Standing Orders except those printed in **bold type** may be suspended by resolution in relation to any specific item of business.

A resolution permanently to add, vary or revoke a Standing Order shall when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the council.

79 Standing Orders to be given to Members

A copy of these Standing Orders shall be given to each member by the clerk upon delivery to him of the member's declaration of acceptance of office and written undertaking to observe the Code of Conduct adopted by the council.

TUTBURY PARISH COUNCIL

Code of Conduct

Introduction

Pursuant to section 27 of the Localism Act 2011, Tutbury Parish Council ('the Council') has adopted this Code of Conduct to promote and maintain high standards of behaviour by its members and co-opted members whenever they conduct the business of the Council, including the business of the office to which they were elected or appointed, or when they claim to act or give the impression of acting as a representative of the Council.

This Code of Conduct is based on the principles of selflessness, integrity, objectivity, accountability, openness, honesty, and leadership.

Definitions

For the purposes of this Code, a 'co-opted member' is a person who is not a member of the Council but who is either a member of any committee or sub-committee of the Council, or a member of, and represents the Council on any joint committee or joint sub-committee of the Council, and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee.

For the purposes of this Code, a 'meeting' is a meeting of the Council, any of its committees, sub-committees, joint committees or joint sub-committees.

For the purposes of this Code, and unless otherwise expressed, a reference to a member of the Council includes a co-opted member of the Council.

Member obligations

When a member of the Council acts, claims to act or gives the impression of acting as a representative of the Council, he/she has the following obligations.

1. He/she shall behave in such a way that a reasonable person would regard as respectful.
2. He/she shall not act in a way which a reasonable person would regard as bullying or intimidatory.
3. He/she shall not seek to improperly confer an advantage or disadvantage on any person.
4. He/she shall use the resources of the Council in accordance with its requirements.
5. He/she shall not disclose information which is confidential or where disclosure is prohibited by law.

Registration of interests

6. Within 28 days of this Code being adopted by the Council, or the member's election or the co-opted member's appointment (where that is later), he/she shall register with the Monitoring Officer the interests which fall within the categories set out in Appendices A and B.
7. Upon the re-election of a member or the re-appointment of a co-opted member, he/she shall within 28 days re-register with the Monitoring Officer any interests in Appendices A and B.
8. A member shall register with the Monitoring Officer any change to interests or new interests in Appendices A and B within 28 days of becoming aware of it.

9. A member need only declare the existence but not the details of any interest which the Monitoring Officer agrees is a 'sensitive interest'. A sensitive interest is one which, if disclosed on a public register, could lead the member or a person connected with the member to be subject to violence or intimidation.

Declaration of interests at meetings

10. Where a matter arises at a meeting which relates to an interest in Appendix A the member shall not participate in a discussion or vote on the matter. He/she only has to declare what his/her interest is if it is not already entered in the member's register of interests or if he/she has not notified the Monitoring Officer of it.
11. Where a matter arises at a meeting which relates to an interest in Appendix A which is a sensitive interest, the member shall not participate in a discussion or vote on the matter. If it is a sensitive interest which has not already been disclosed to the Monitoring Officer, the member shall disclose he/she has an interest but not the nature of it.
12. Where a matter arises at a meeting which relates to an interest in Appendix B, the member shall not vote on the matter. He/she may speak on the matter only if members of the public are also allowed to speak at the meeting.
13. A member only has to declare his/her interest in Appendix B if it is not already entered in his/her register of interests or he/she has not notified the Monitoring Officer of it or if he/she speaks on the matter. If he/she holds an interest in Appendix B which is a sensitive interest not already disclosed to the Monitoring Officer, he/she shall declare the interest but not the nature of the interest.
14. Where a matter arises at a meeting which relates to a financial interest of a friend, relative or close associate (other than an interest in Appendix A), the member shall disclose the nature of the interest and not vote on the matter. He/she may speak on the matter only if members of the public are also allowed to speak at the

meeting. If it is a 'sensitive interest' the member shall declare the interest but not the nature of the interest.

Dispensations

15. On a written request made to the Council's proper officer, the Council may grant a member a dispensation to participate in a discussion and vote on a matter at a meeting even if he/she has an interest in Appendices A and B if the Council believes that the number of members otherwise prohibited from taking part in the meeting would impede the transaction of the business; or it is in the interests of the inhabitants in the Council's area to allow the member to take part or it is otherwise appropriate to grant a dispensation.

Appendix A

Interests described in the table below.

<i>Subject</i>	<i>Description</i>
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	Any payment or provision of any other financial benefit (other than from the Council) made to the member during the 12 month period ending on the latest date referred to in paragraph 6 above for expenses incurred by him/her in carrying out his/her duties as a member, or towards his/her election expenses.
	This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the member or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the Council —
	(a) under which goods or services are to be provided or works are to be executed; and
	(b) Which has not been fully discharged.
Land	Any beneficial interest in land which is within the area of the Council. (Including home address) 'Land' excludes an easement, servitude, interest or right in or over land which does not give the member or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the Council for a month or longer.
Corporate tenancies	Any tenancy where (to the member's knowledge)—
	(a) the landlord is the Council; and
	(b) the tenant is a body that the member, or his/her spouse or civil partner or the

	person with whom the member is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.
Securities	Any beneficial interest in securities* of a body where—
	(a) that body (to the member's knowledge) has a place of business or land in the area of the Council; and
	(b) either—
	(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or
	(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the member, or his/her spouse or civil partner or the person with whom the member is living as if they were spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

*'director' includes a member of the committee of management of an industrial and provident society.

**'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Appendix B

An interest which relates to or is likely to affect:

- (i) any body of which the member is in a position of general control or management and to which he/she is appointed or nominated by the Council;

- (ii) any body—
 - (a) exercising functions of a public nature;
 - (b) directed to charitable purposes; or
 - (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)of which the member of the Council is a member or in a position of general control or management;

- (iii) any gifts or hospitality worth more than an estimated value of £50 which the member has received by virtue of his or her office.

Annex B

Types of information that may be used to decide if the matter for discussion warrants the exclusion of the public and press from the meeting.

- 1 Information relating to a particular employee, former employee or applicant to become an employee of, or a particular office holder, former office holder or applicant to become an office holder under, the authority.
- 2 Information relating to a particular employee, former employee or applicant to become an employee of, or a particular officer, former officer or applicant to become an officer appointed by:
 - (a) a magistrates' court committee, within the meaning of section 19 of the Justices of the Peace Act 1979 or
 - (b) a probation committee appointed under paragraph 2 of Schedule 3 to the Powers of Criminal Courts Act 1973
- 3 Information relating to any particular occupier or former occupier of, or applicant for, accommodation provided by or at the expense of the authority.
- 4 Information relating to any particular applicant for, or recipient or former recipient of, any service provided by the authority.
- 5 Information relating to any particular applicant for, or recipient or former recipient of, any financial assistance provided by the authority.
- 6 Information relating to the adoption, care, fostering or education of any particular child.
- 7 Information relating to the financial or business affairs of any particular person (other than the authority).
- 8 The amount of any expenditure proposed to be incurred by the authority under any particular contract for the acquisition of property or the supply of goods or services.
- 9 Any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract the acquisition or disposal of property or the supply of goods or services.
- 10 The identity of the authority (as well as of any other person, by virtue of paragraph 7 above) as the person offering any particular tender for a contract for the supply of goods or services.
- 11 Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.

- 12 Any instructions to counsel and any opinion of counsel (whether or not in connection with any proceedings) and any advice received, information obtained or action to be taken in connection with.
 - (a) any legal proceedings by or against the authority, or
 - (b) the determination of any matter affecting the authority (whether, in either case, proceedings have been commenced or are in contemplation)
 - (c) Information
- 13 Information which, if disclosed to the public, would reveal that the authority proposes
 - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person: or
 - (b) to make an order or direction under any enactment
- 14 Any action taken or to be taken in connection with the prevention investigation or prosecution of crime.
- 15 The identity of a protected informant.